

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

The Lake Dallas City Council met in a regular meeting on November 17, 2011 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041, of the Texas Government Code. Mayor Marino called the meeting to order at 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connor	Councilmember 2
Rick Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Councilmember Brooks was absent.

Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Police Chief; Donna Boner, Finance/Human Resources; Wes Frazier, Police Lieutenant

B. INVOCATION

Pastor Ben Smith, First Baptist Church Lake Dallas, gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Mayor Marino announced that the bond proposition passed on the November 8th election. City Manager Berner announced that the City's annual Holiday Tree Lighting and Open House will be December 3rd from 5-9 p.m.

E. REPORTS

City Manager Berner reported that the Community Development Corporation voted to accept the bid from Schmoldt Construction and approved a contract with them for the boat ramp at Willow Grove Park. The Parks and Recreation Board has been making preparations for the annual Holiday Tree Lighting and Open House.

Donna Boner gave the Financial Report. Sales tax continues to increase. The auditor conducted his annual audit this week.

F. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.

No one came forward to speak.

Mayor Marino closed the Visitors/Citizens Agenda

G. CONSENT AGENDA

- 1) Consideration and Action to approve the minutes of the October 27, 2011 meeting.**
- 2) Consideration and Action to approve the October Financials.**

Motion to approve the Consent Agenda consisting of the minutes for the October 27, 2011 meeting and the October Financials was made by Councilmember Connors and second by Councilmember Harper.

Ayes: Councilmembers Connors, Harper, Mathews, and Hammond.

Noes: None

Motion Passed

H. BUSINESS

- 1) Public Hearing on a proposed Special Use Permit to allow the storage of boats and jet skis located at 503 S. Lake Dallas Drive, City of Lake Dallas, Denton County, Texas. The legal description of the property is A1355a Wright, Tract 78, and it is zoned C-3 Commercial, I-35 Corridor. Chapter 122, Zoning, of the Code of Ordinances of the City of Lake Dallas, Article XIII, Special Use Permits, Section 122-401 & 122-661, allows for application to be made.**

Mayor Marino opened the Public Hearing.

James Doolin, 1402 N. Valley Parkway, Lewisville, spoke to the Council explaining his request. City Manager Berner informed the Council that Planning and Zoning Commission had recommended approval the special use permit.

Mayor Marino closed the Public Hearing.

- 2) Consideration and Action to approve a proposed Special Use Permit to allow the storage of boats and jet skis located at 503 S. Lake Dallas Drive, City of Lake Dallas, Denton County, Texas. The legal description of the property is A1355a Wright, Tract 78, and it is zoned C-3 Commercial, I-35 Corridor. Chapter 122, Zoning, of the Code of Ordinances of the City of Lake Dallas, Article XIII, Special Use Permits, Section 122-401 & 122-661, allows for application to be made.**

Motion to approve a proposed Special Use Permit to allow the storage of boats and jet skis located at 503 S. Lake Dallas Drive was made by Councilmember Hammond and second by Councilmember Harper.

Ayes: Councilmembers Hammond, Harper, Connors, and Mathews.

Noes: None

Motion Passed

- 3) **Public Hearing on a proposed Special Use Permit to allow the installation of an ice and water vending machine structure located at 304 S. Shady Shores, City of Lake Dallas, Denton County, Texas. The legal description of the property is A1355a Wright, Tracts 13 & 14, and it is zoned C-1 Commercial. Chapter 122, Zoning, of the Code of Ordinances of the City of Lake Dallas, Article XIII, Special Use Permits, Section 122-321, allows for application to be made.**

Mayor Marino opened the Public Hearing.

Rock Hostetler, 161 Paradise Cove, Shady Shores, spoke to the Council explaining his request. City Manager Berner informed the Council that Planning and Zoning Commission had recommended approval the special use permit.

Mayor Marino closed the Public Hearing.

- 4) **Consideration and Action to approve a proposed Special Use Permit to allow the installation of an ice and water vending machine structure located at 304 S. Shady Shores, City of Lake Dallas, Denton County, Texas. The legal description of the property is A1355a Wright, Tracts 13 & 14, and it is zoned C-1 Commercial. Chapter 122, Zoning, of the Code of Ordinances of the City of Lake Dallas, Article XIII, Special Use Permits, Section 122-321, allows for application to be made.**

Motion to approve a Special Use Permit to allow the installation of an ice and water vending machine structure located at 304 S. Shady Shores, was made by Councilmember Connors and second by Councilmember Harper.

Ayes: Councilmembers Connors, Harper, Mathews, and Hammond

Noes: None

Motion Passed

- 5) **Consideration and Action to adopt a resolution adopting ethical and training standards for Juvenile Case Managers employed by the City of Lake Dallas.**

Motion to adopt a resolution adopting ethical and training standards for Juvenile Case Managers employed by the City of Lake Dallas was made by Councilmember Hammond and second by Councilmember Mathews.

Ayes: Councilmembers Hammond, Mathews, Harper, and Connors.

Noes: None

Motion Passed

6) Consideration and Action to adopt a resolution casting vote for candidates nominated for Denton Central Appraisal District

Motion to adopt a resolution to cast votes for Denton Central Appraisal District Board members as follows: Tom Washington, 10 votes made by Councilmember Connors and second by Councilmember Harper.

Ayes: Councilmembers Connors, Harper, Mathews, and Hammond.

Noes: None

Motion Passed

7) Consideration and Action to approve an agreement with Denton County Transit Authority for Highway Signal Interface and authorizing the City Manager to execute the agreement.

Motion to approve an agreement with Denton County Transit Authority for Highway Signal Interface and authorizing the City Manager to execute the agreement was made by Councilmember Harper and second by Councilmember Hammond.

Ayes: Councilmembers Harper, Hammond, Connors, and Mathews.

Noes: None

Motion Passed

8) Consideration and Action to adopt an ordinance canvassing returns and declaring results of bond election; and containing provisions necessary and incidental thereto.

Mayor Marino declared the vote on the November 8th election on a bond proposition in the amount of \$10,200,000 to be 91 For and 69 Against.

Motion to adopt an ordinance canvassing returns and declaring results of bond election; and containing provisions necessary and incidental thereto was made by Councilmember Harper and second by Councilmember Connors.

Ayes: Councilmembers Harper, Connors, Mathews, and Hammond,.

Noes: None

Motion Passed

9) Consideration and Action for the approval of Fiscal Year 2011 Asset Forfeiture Audit / Report.

Motion to approve the Fiscal Year 2011 Asset Forfeiture Audit / Report was made by Councilmember Hammond and second by Councilmember Harper.

Ayes: Councilmembers Hammond, Harper, Connors, and Mathews.

Noes: None

Motion Passed

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10) Consideration and Action to adopt an ordinance of The City Council of The City of Lake Dallas, Texas, approving a preliminary project and financing plan for Reinvestment Zone Number One, City of Lake Dallas; calling a public hearing and directing publication of notice of the public hearing; providing for an effective date; and enacting other provisions relating to the subject.

Jeff Gulbas, McCall, Parkhurst and Horton, spoke to Council regarding the Tax Increment Financing District and the preliminary project and financing plan for the Reinvestment Zone.

Motion to adopt an ordinance of The City Council of The City of Lake Dallas, Texas, approving a preliminary project and financing plan for Reinvestment Zone Number One, City of Lake Dallas; calling a public hearing and directing publication of notice of the public hearing; providing for an effective date; and enacting other provisions relating to the subject was made by Councilmember Connors and second by Councilmember Hammond.

Ayes: Councilmembers Connors, Hammond, Harper, and Mathews.

Noes: None

Motion Passed

11) Consideration and Action to adopt an ordinance adopting a Master Fee Schedule for the City of Lake Dallas

Motion to adopt an ordinance adopting a Master Fee Schedule for the City of Lake Dallas was made by Councilmember Hammond and second by Councilmember Connors.

Ayes: Councilmembers Hammond, Connors, Harper, and Mathews.

Noes: None

Motion Passed

I. CITY MANAGER REPORT

City Manager Berner reported that Community Development Corporation awarded the contract to Schmoldt Construction for the boat ramp. There is a 180 day time frame to build it so it should be done by mid-May. There will be a pre-construction meeting on Monday. On Tuesday, City Manager Berner and Paris Rutherford will be meeting with NCTC and Unified Aircraft regarding the bond project. The Lakeview project is continuing to move forward

J. NEW AGENDA ITEMS

Waste Management rate increase will be an item. There will possibly be an offer on the Lakeview property for the next agenda. Mayor Marino set December 8th as the next regular Council meeting date.

K. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:30 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

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