

**MINUTES OF THE REGULAR MEETING OF THE
HIGHLAND VILLAGE CITY COUNCIL
HELD AT THE HIGHLAND VILLAGE MUNICIPAL COMPLEX
LOCATED AT 1000 HIGHLAND VILLAGE ROAD
TUESDAY, MARCH 27, 2018**

Call to Order

Mayor Charlotte J. Wilcox called the meeting to order at 6:00 p.m.

Roll Call

Present:	Charlotte J. Wilcox	Mayor
	Michelle Schwolert	Mayor Pro Tem
	Michael Lombardo	Councilmember
	Barbara Fleming	Deputy Mayor Pro Tem
	John McGee	Councilmember
	Fred Busche	Councilmember
	Daniel Jaworski	Councilmember
Staff Members:	Michael Leavitt	City Manager
	Kevin Laughlin	City Attorney
	Ken Heerman	Assistant City Manager
	Angela Miller	City Secretary
	Heather Miller	Assistant Finance Director
	Jeff Sun	Staff Accountant
	Brad Goudie	Fire Chief
	Mark Stewart	Assistant Police Chief
	Scott Kriston	Public Works Director
	Phil Lozano	Parks and Recreation Director
	Laurie Mullens	Director of Marketing & Communic
	Andrew Boyd	Media Specialist
	Karen Bradley	Administrative Assistant

EARLY WORK SESSION

1. Receive Presentation of Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2016-2017

Mr. Heerman introduced Ms. Paula Lowe with Pattillo, Brown & Hill LLP, who provided information to Council regarding the Comprehensive Annual Financial Report (CAFR). Ms. Lowe advised that the auditors from Pattillo, Brown & Hill, LLP assigned an unmodified opinion of the City's financial statements, which declare the statements present fairly the financial position of the City of Highland Village for Fiscal Year ending September 30, 2017. She distributed copies of the audit documents to Council and provided an overview of the findings.

2. Receive an Update on the Request for Proposals (RFP) for Solid Waste Collection and Recycling Services

Public Works Director Scott Kriston reported the City's current solid waste contract with Waste Management expires on August 31, 2018. In preparation of seeking RFPs for future services, the City engaged the services of Solid Waste Specialists, LLC in October,

2017 to assist staff in developing clear specifications and instructions in the RFP for solid waste and recycling services. Mr. Leavitt encouraged the Council to ask questions so their concerns could be addressed and reported a presentation would also be made during the regular session.

Lynn Lantrip from Solid Waste Specialists provided an overview of the current services for residential, commercial, industrial and city facility pickup in Highland Village. He then presented options that were considered for future services. Once the RFP was prepared and advertised, a mandatory pre-bid meeting was held with companies interested in bidding. Mr. Lantrip reported proposals were submitted by three companies. All RFPs were reviewed and evaluated by a committee of staff members and the consultants, with Community Waste Disposal (CWD) as the recommended provider. Mr. Lantrip stated pricing was a component of the review process, however their recommendation was not solely based on lowest price. He also reported references from other area cities on the service provided by CWD came back very positive.

The proposal from CWD provides enhanced service over the current solid waste contract, including continuation of ten bags per week of garbage collected on a weekly basis, increase to a 95-gallon recycling cart, continuation of weekly compost collection, collection of large brush and bulk items twice a month, continuation of the program for household hazardous waste pick up at the curb, and ability for residents to deliver material to CWD's facility at no additional charge. The proposed monthly fee is \$16.24, which is the lowest fee of the three proposals.

Councilmember Busche asked that educational information be provided to residents on the difference in composting items, which usually includes grass & leaves, and bulk tree limbs. He also asked the education materials be made available for recycling. Mr. Lantrip reported information would be printed on the lid of the recycle carts, through flyers provided by the company, and city publications. Mayor Wilcox stated there have been a lot of complaints received about missed pickups on Fridays and asked how that would be handled. Mr. Leavitt reported CWD may be adding more trucks and plan to finish their route each day by 2:00 p.m. to ensure sufficient time to respond to any issue that may arise. Mayor Wilcox also asked is the senior discount is still included in the pricing; Mr. Leavitt reported it is included.

3. Clarification of Consent or Action Items listed on today's City Council Regular Meeting Agenda of March 27, 2018

Relating to Agenda Item #12, City Manager Michael Leavitt reported this is 2nd and final read for Ordinance 2018-1244. Mr. Heerman reported this item is not to approve a rate adjustment or increase for Atmos, but to approve a revised rate review mechanism (RRM) tariff. He reported the RRM process allows for a more comprehensive rate review and annual evaluation of expenses and revenues.

Councilmember Busche stated residents don't understand how their rates are calculated and asked if the City could communicate and provide that information. Although Atmos is regulated by the Texas Railroad Commission, Mr. Leavitt reported rate/billing information is now available on the City website.

Relating to Agenda Item #18, Mr. Leavitt stated a trip to Washington is scheduled for May 8-11, 2018, with much of the City Council attending. Since there is a regular Council meeting scheduled for May 8, staff is tentatively looking at rescheduling the meeting for May 14, which would also allow for canvassing of the general election results.

CLOSED SESSION

4. **Hold a closed meeting in accordance with the following sections of the Texas Government Code:**
(a) **Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)**

Council did not meet in Closed Session.

OPEN SESSION

5. **Call to Order**

Mayor Charlotte J. Wilcox called the meeting to order at 7:30 p.m.

Roll Call

Present:	Charlotte J. Wilcox	Mayor
	Michelle Schwolert	Mayor Pro Tem
	Michael Lombardo	Councilmember
	Barbara Fleming	Deputy Mayor Pro Tem
	John McGee	Councilmember
	Fred Busche	Councilmember
	Daniel Jaworski	Councilmember
Staff Members:	Michael Leavitt	City Manager
	Kevin Laughlin	City Attorney
	Ken Heerman	Assistant City Manager
	Angela Miller	City Secretary
	Mark Stewart	Assistant Police Chief
	Brad Goudie	Fire Chief
	Jason Collier	Assistant Fire Chief
	Travis Nokes	Deputy Fire Chief
	Scott Kriston	Public Works Director
	Phil Lozano	Parks and Recreation Director
	Laurie Mullens	Director of Marketing & Communic
	Andrew Boyd	Media Specialist

6. **Prayer to be led by Deputy Mayor Pro Tem Barbara Fleming**

Deputy Mayor Pro Tem Fleming gave the invocation. She also reported Air Force Captain Mark Weber was one of the seven US Armed Forces members who were killed two weeks ago when a military helicopter crashed in western Iraq and asked that everyone keep his family in their thoughts.

7. **Pledge of Allegiance to the U.S. and Texas flags to be led by Deputy Mayor Pro Tem Barbara Fleming: *“Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”***

Deputy Mayor Pro Tem Fleming led the Pledge of Allegiance to the U.S. and Texas Flags.

8. **Visitor Comments**

The following people spoke:

Joe Land (426 Copperas Trail) – Mr. Land stated about 30 people on social media have expressed outrage at their bills received recently from Atmos. He stated customers are not being listened to and asked to please motivate Atmos to find an answer.

Shawn Vernon (212 Edgewood) – Mr. Vernon reported he moved to Highland Village in May and is concerned about the proposed development of 3-story homes that will be spaced 5-feet apart. He asked that they not be allowed and voiced concern that property values will drop if they are.

Jimmy Bassinger (210 Edgewood) – Mr. Bassinger stated the turnout of citizens attending tonight's Council meeting is to express concern regarding the possible development at 180 Highland Village Road. He stated he was speaking on behalf of the 160+ property owners of Highland Village that had been canvassed in order to determine their view on the proposal. He presented a citizen petition to City Council that was signed by 158 residents who are opposed to the planned development of row houses named Victor Villas. The petition reflected the following:

- ❖ The residents' opposition to high density residential in any form
- ❖ The residents' opposition to the Transit Oriented Development Overlay placed on 180 Highland Village Road and adjoining properties

9. City Manager/Staff Reports

City Manager Michael Leavitt introduced Jan Rugg from Atmos Energy. Ms. Rugg stated residents can contact Atmos to have their bills reviewed and also spoke about the billing process used for estimated usage and actual usage. She further stated customers can ask to be removed from estimated billing. For customers with high bills, she reported there are options, such as payment arrangements that can be made or enrolling in budget billing. She also stated Atmos partners with energy assistance agencies to help those customers in extreme financial need of help to pay their bills if customers meet the criteria for assistance.

Councilmember Jaworski voiced concern with the accuracy of Atmos' recent reporting that colder than normal weather resulted in an increase in natural gas consumption, which resulted in higher bills. Mayor Wilcox asked what piping is used throughout Highland Village. Mr. Leavitt reported there is no cast iron piping used by Atmos in Highland Village.

- **HVTV**

Stormwater Runoff – presented a reminder for residents to be mindful of their runoff and highlighted ways to minimize pollution in stormwater

Your Tax Dollars at Work – provided information for residents to learn more about how their tax dollars are being used for city services

STAR Program – the police department's Special Treatment and Response Program is an optional and confidential program that allows residents to provide important information or instructions to first responders regarding hospice, DNR orders, Alzheimer patients, hearing/sight impaired, autism or special needs if they are called to their location; contact the Police Department for further details

- 10. Mayor and Council Reports on Items of Community Interest pursuant to Texas Government Code Section 551.0415 the City Council may report on the following items: (1) expression of thanks, congratulations or condolences; (2) information about holiday schedules; (3) recognition of individuals; (4) reminders about upcoming City Council events; (5) information about community events; and (6) announcements involving imminent threat to public health and safety**

Deputy Mayor Pro Tem Fleming reported the Highland Village Art Festival will be held on Saturday, May 5 at The Shops at Highland Village and encouraged everyone to attend.

- **Presentation of Life Saving Award**

Life Saving Awards were presented to emergency personnel for two different calls. In both cases, the resident had gone into cardiac arrest and made a full recovery. In the first incident, the following responders were recognized:

Dispatcher Rhonda Wells	Dispatcher Marcy Leggett
Corporal Michael MacLean	Officer John Bradley
Captain Tony Sorsby	Driver/Operator Vince Jones
Firefighter/Paramedic Cody Wooten	Firefighter/Paramedic Justin Moore
Firefighter/Paramedic Trevis Jordan	Firefighter/Paramedic Jonathan Hughes

In the second incident, the following responders were recognized:

Dispatcher Brianna Robbins	Dispatcher Terra Hair
Captain Jared Middleton	Driver/Operator Mel Harper
Firefighter/Paramedic Cody Wooten	Firefighter/Paramedic Jack Lacy
Firefighter/Paramedic Clint Duke	

CONSENT AGENDA

- 11. Consider Approval of Minutes of the Regular City Council Meeting held on February 27, 2018**
- 12. Consider Ordinance 2018-1244 Approving a Tariff Authorizing an Annual Rate Review Mechanism as Negotiated between Atmos Energy Corp., Mid-Tex Division and the Atmos Cities Steering Committee (ACSC) Effective for Bills Issued on or After April 1, 2018 (2nd and final read)**
- 13. Receive Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2016-2017**
- 14. Receive Budget Reports for Period Ending January 31, 2018**

Motion by Councilmember Busche, seconded by Councilmember McGee, to approve Consent Agenda Items #11 through #14. Motion carried 7-0.

ACTION AGENDA

- 15. Take action, if any, on matters discussed in closed session in accordance with the following sections of the Texas Government Code:**
 - (a) Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)**

NO ACTION TAKEN

16. Receive a Presentation on the Request for Proposals (RFP) for Solid Waste Collection and Recycling Services

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The proposal from CWD provides enhanced service over the current solid waste contract, including continuation of ten bags per week of garbage collected on a weekly basis, increase to a 95-gallon recycling cart, continuation of weekly compost collection, collection of large brush and bulk items twice a month, continuation of the Household Hazardous Waste at the curb program, and ability for residents to deliver material to CWD's facility at no additional charge. The monthly proposed monthly fee is \$16.24, which is the lowest fee of the three proposals.

Council asked about missed pickup and how that would be addressed. Mr. Leavitt reported CWD may be adding more trucks and plan finish their route early enough each day to ensure sufficient time to respond to any issue that may arise. To provide a smooth transition, Mr. Leavitt stated an education program for residents and businesses would begin once a contract is approved. Councilmember Busche asked if there would still be community events for shredding or household waste drop off. Mr. Leavitt stated yes, but usually only one per year. Consensus of Council was to move forward with a contract with CWD and to keep composting services.

LATE WORK SESSION

17. Receive an Update on School Safety Measures

City Manager Michael Leavitt reported Chief of Police Doug Reim has made police presence more pronounced in Highland Village schools. During the day an officer will randomly visit schools and are encouraged to spend lunches and breaks at a school. He stated this will continue throughout the remaining school year.

He also reported that local public safety agencies are coming together to look at standard operating procedures and how they address various scenarios, to look at an active shooter event, and how each entity can work to prevent such an event. He stated he would share additional updates as information is received.

18. Status Reports on Current Projects and Discussion on Future Agenda Items (A Councilmember may inquire about a subject of which notice has not been given. A statement of specific factual information or the recitation of existing policy may be

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given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.)

No items were reported or discussed.

19. Adjournment

Mayor Wilcox adjourned the meeting at 9:02 p.m.

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary