

**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, APRIL 24, 2018**

Call to Order

Mayor Charlotte J. Wilcox called the meeting to order at 6:00 p.m. She announced Jack Westman as the Mayor for the Day. Mr. Westman is a fourth grade student at McAuliffe Elementary.

Roll Call

Present:	Charlotte J. Wilcox	Mayor
	Michelle Schwolert	Mayor Pro Tem
	Michael Lombardo	Councilmember
	Barbara Fleming	Deputy Mayor Pro Tem
	Fred Busche	Councilmember
	Daniel Jaworski	Councilmember
Absent:	John McGee	Councilmember
Staff Members:	Michael Leavitt	City Manager
	Kevin Laughlin	City Attorney
	Ken Heerman	Assistant City Manager
	Angela Miller	City Secretary
	Doug Reim	Chief of Police
	Sheri Morrison	Commander
	Brad Goudie	Fire Chief
	Sunny Lindsay	IT Director
	Darla Pyron	GIS Administrator
	Scott Kriston	Public Works Director
	Phil Lozano	Parks and Recreation Director
	Laurie Mullens	Director of Marketing & Communications
	Andrew Boyd	Media Specialist

EARLY WORK SESSION

1. Review of Residential Property Build Out in Highland Village

Information Services Director Sunny Lindsey reported on undeveloped land in Highland Village. She reported there are 159.27 acres of vacant and/or undeveloped lots with zoning labeled in Highland Village:

Residential - Of the 159.27 acres, there are 158 residential lots, which total 28.46 acres; 113 of those residential lots are located in Ladera, Wichita Estates and St. James

Residential to be Developed – There are 18 residential lots to be developed for a total of 116.8 acres

Commercial – There are 12 commercial lots for a total of 13.99 acres

City Manager Michael Leavitt reported this information is used for planning of city services and for planning during the next five years and beyond. There are 158 platted lots that are ready to be built on that may be developed within the next five years. He stated there

are also some lots that are challenging to develop due to size or geographical features. He stated applications for building permits for residential lots in Ladera, Wichita Estates and St. James will probably be received in the near future.

2. Discuss Appointment of City Official to Serve on the Animal Shelter Advisory Committee

As a City official, John McGee currently serves on the Animal Shelter Advisory Committee (Committee). As a result of the May 5, 2018 General Election, Councilmember McGee will no longer serve on the Committee. Therefore a vacancy will exist on the Animal Shelter Advisory Committee. Council discussed and Councilmember Busche volunteered to serve. The consensus of Council is to formally appoint Councilmember Busche at the next Council meeting.

3. Clarification of Consent or Action Items listed on today's City Council Regular Meeting Agenda of April 24, 2018

Relating to Agenda Item #13, Mr. Leavitt stated Council had received a copy of the proposed agreement. He said one issue that staff has heard from residents is from seniors who did not wish to go to a large cart and wanted to keep the 35-gallon carts or smaller. Public Works Director Scott Kriston presented the concern to CWD and they worked out that CWD will service all three size containers, and that an item has since been incorporated into the agreement. City Attorney Kevin Laughlin suggested the first term run 13-months so that in the future the terms fall with the City's budget cycle. This makes the contract terms actually five years and one month.

Early Work Session ended at 6:28 p.m.

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 7:33 p.m. Mayor Wilcox announced Mayor for the Day Jack Westman had been present at the Early Work Session but had to leave before the start of the Regular Meeting.

Roll Call

Present:	Charlotte J. Wilcox	Mayor
	Michelle Schwolert	Mayor Pro Tem
	Michael Lombardo	Councilmember
	Barbara Fleming	Deputy Mayor Pro Tem
	Fred Busche	Councilmember

	Daniel Jaworski	Councilmember
Absent:	John McGee	Councilmember
Staff Members:	Michael Leavitt	City Manager
	Kevin Laughlin	City Attorney
	Ken Heerman	Assistant City Manager
	Angela Miller	City Secretary
	Doug Reim	Chief of Police
	Scott Kriston	Public Works Director
	Phil Lozano	Parks and Recreation Director
	Laurie Mullens	Director of Marketing & Communications
	Andrew Boyd	Media Specialist

6. Prayer to be led by Councilmember Daniel Jaworski

Councilmember Jaworski gave the invocation.

7. Pledge of Allegiance to the U.S. and Texas flags to be led by Councilmember Daniel Jaworski: *“Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”*

Aidan Zentner from Boy Scout Troop 451 led the Pledge of Allegiance to the U.S and Texas flags.

8. Visitor Comments

The following people spoke:

Jean Bassinger (210 Edgewood) – Ms. Bassinger asked why there was a work session today on residential build out; why was a 3-story storage building built in a residential area; why was an urban high density housing project known as The District allowed in a suburban community opposed to apartment style living; why did the City signal to developers that they would be looking for someone to develop a transit oriented project of retail, commercial and high density residential in the midst of an existing SF-12 residential area; why was a hotel put forward as a possibility on 180 Highland Village Road adjacent to residential properties; why is Victor Villas, which has been assessed as a potential failure waiting to be built, still on the table? Ms. Bassinger stated the City has demonstrated they desire increased revenue, no matter the cost to the citizens. She asked if the City cuts back on expenditures or look for other sources of revenue. She stated in 2007 the City designated four sections of land as transit oriented development, which essentially communicated to developers the City was looking for developers to convert existing residential structures into new sources of revenue, declaring 26-homeowners expendable. She further stated the homeowners’ investment, life dreams for their property and quality of life were of no value and would be asked to sell their property at less than market value for suffer the consequences of being forced out & selling their property at lower prices because of the negative impact of the development, or they could stay in their homes with potentially having towering buildings, dumpsters and night life at their back fences.

Ms. Bassinger stated developers would be offered millions in tax breaks to come and essentially evict the homeowners with the threat of an atrocious development plan, but there would be parks, trails and dog parks for others to enjoy. She stated Victor Villas could be replicated anywhere land is available that the City deems valuable for

redevelopment and the first step is to change the zoning. She stated the City just wants the revenue and asked which property would be targeted next, or where can the City economize to live within its means to provide for the citizens of Highland Village.

Thomas Baker (2920 Woodpark Drive, Flower Mound) – Mr. Baker stated he serves on the board for Children’s Advocacy Center. With child abuse statistics growing, the Center works to empower child abuse victims and families through education, healing and justice. They work closely with police departments to coordinate the investigation of child abuse in a collaborative environment. Mr. Baker thanked the Highland Village Police Department, Mayor and Council, and City staff for their support.

Deborah Malany (213 Edgewood) – Ms. Malany spoke in opposition of the zoning change request for 180 Highland Village Road. She reported the proposed zoning change would allow 37 – 3 story row houses with low density. She moved to Highland Village in 1992 and was attracted by the large lots, trees and the location provided an easy commute to work. She voiced concern that the trees and rural atmosphere would be gone if the City allows the proposed development. She also voiced concern that no one would want to live with a 30 foot wall of windows right behind their fence line. She also stated concern that if buyers are not attracted to the homes in the proposed development, they might be offered as apartments. She stated the proposed development is just not a good fit and respectfully requested the Council not approve the request.

9. City Manager/Staff Reports

- **HVTV Update**

Highland Village Art Festival – The Highland Village Art Festival will be held on Saturday, May 5th from 10:00 a.m. until 6:00 p.m. at The Shops at Highland Village benefitting the Children’s Advocacy Center of Denton County; there will be over 50 local artists participating, a children’s area, artist demonstrations, live music and entertainment

Early Voting – Early voting for the general election is currently underway and will continue through May 1st; registered voters in Highland Village may vote at any Denton County polling site; Election Day is Saturday, May 5th

Paper Shredding Event – This free, resident-only event will be held on Saturday, April 28 from 2:00 p.m. until 5:00 p.m. at Pilot Knoll Park

Water Conservation Phase I – The City is currently in Phase I/Seasonal Conservation; outside landscape and lawn watering is prohibited during 10:00 a.m. until 6:00 p.m. through September 30th; hand watering of shrubbery is allowed at any hour; this phase is implemented to reduce the impact of peak daytime water usage during the summer months

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

Councilmember Busche invited everyone to attend the Annual Picnic for Greyhounds, which will be held on Sunday, April 29th at Doubletree Ranch Park. Mayor Pro Tem

Schwolert reported the Marcus Girls Soccer team advanced to the state finals and took second place. She also reported Softball playoffs will be held on Thursday in Plano.

- **Presentation of a Proclamation Celebrating Mayor for the Day**

Mayor Wilcox reported Mr. Jack Westman had to leave early but that he did receive a proclamation recognizing him as Mayor for the Day before leaving. Mr. Westman is a student at McAuliffe Elementary.

- **Presentation of a Proclamation Celebrating Greyhound Adoption Day**

Mayor Wilcox and Councilmember Busche presented a proclamation to Suzanne Burke, who represents the Greyhound Adoption League of Texas (GALT). They will be celebrating April 29, 2017 as Greyhound Adoption Day.

CONSENT AGENDA

11. Consider Approval of Minutes of the Regular City Council Meeting held on April 10, 2018

Mayor Wilcox reported an update had been made to the minutes as follows:

Item #9 – the recipients of the proclamation presented for Child Abuse Prevention Month were Lorraine Perry and Theresa Shelton

Item #11 – clarification was added that the May 8th meeting was rescheduled for Monday, May 14th

Motion by Councilmember Lombardo, seconded by Mayor Pro Tem Schwolert, to approve Consent Agenda Item #11. Motion carried 6-0.

ACTION AGENDA

12. 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

13. Consider Resolution 2018-2743 Authorizing the City Manager to Execute an Agreement for Solid Waste, Recycling, and Household Hazardous Waste Collection Services

APPROVED (6 – 0)

Public Works Director Scott Kriston reported the current solid waste collections contract expires on August 31, 2018. Council received a presentation from the consultant, Solid Waste Specialists, LLC during their March 27th meeting, where they recommended Community Waste Disposal, LP provide for solid waste and recycling collection service for the City. He stated the proposed agreement will provide for an initial term of five years and require CWD provide the following solid waste, recycling and household hazardous waste collection services:

- Continuation of 10 bags per week of garbage collected once per week

- Increase the recycling cart size to 95 gallons upon request or keep the existing recycle cart – they will service the existing 35-gallon and 65-gallon carts
- Provides for collection of 1 cubic yard of recycling outside of the recycle cart
- Continues the collection of compost materials on the same Monday collection schedule
- Provides for the collection of large brush and bulky items twice monthly without the need for the resident to call in; volume of each collection will be 2 cubic yards (6' X 3' X 3', or roughly the size of a refrigerator)
- Provides for resident-delivered materials at the firm's facility
- Provides a solution for above-the-limit brush and bulky collections that can be assessed a reasonable fee
- Continues the provision of household hazardous waste at the curb

Councilmember Busche asked about exchanging the Waste Management containers. Mr. Kriston reported although some of the containers have the Waste Management logo, they actually belong to the City. Mayor Wilcox asked if the blue bags and trash bags would be picked up. Mr. Leavitt stated the blue bags are no longer recognized as recycling and will be picked up as trash. He also clarified the holiday schedule would be moved back one day but will not run into the following week.

Resident Richard Walter (132 Bluebonnet) asked if residents could still drop off items once a month at the landfill. Mr. Kriston stated the service would still remain, but at a different location.

Motion by Deputy Mayor Pro Tem Fleming, seconded by Councilmember Jaworski, to approve Resolution 2018-2743. Motion carried 6-0.

LATE WORK SESSION

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

Mayor Pro Tem Schwolert asked when The Painted Tree was opening. City Manager Leavitt reported the first part of May.

- 15. Adjournment**

Mayor Wilcox adjourned the meeting at 8:21 p.m.

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary