

**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, DECEMBER 12, 2017**

The City Council of the City of Highland Village, Texas met in Early Work Session on the 12th day of December, 2017 prior to the Regular Council Meeting.

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
	Fred Busche	Councilmember
	John McGee	Councilmember
	Daniel Jaworski	Councilmember
Staff Members:	Michael Leavitt	City Manager
	Kevin Laughlin	City Attorney
	Ken Heerman	Assistant City Manager
	Angela Miller	City Secretary
	Doug Reim	Police Chief
	Mark Stewart	Assistant Police Chief
	Brad Goudie	Fire Chief
	Scott Kriston	Public Works Director
	Phil Lozano	Parks and Recreation Director
	Fince Espinoza	Parks Operations & Project Manager
	Laurie Mullens	Director of Marketing & Communic
	Andrew Boyd	Media Specialist
	Karen Bradley	Administrative Assistant

EARLY WORK SESSION

1. Discuss Options relating to the Use of Neighborhood Electric Vehicles (NEV), Low Speed Vehicles (LSV) and Golf Carts in Highland Village

Based on state law, City Manager Michael Leavitt asked Council if they wished to move forward with regulating NEVs, LSVs and golf carts in Highland Village. The consensus of Council was to proceed. Mr. Leavitt stated City staff will work with City Attorney Kevin Laughlin to provide a draft ordinance for Council review and discussion at the January 9, 2018 City Council meeting. The ordinance will include regulations relating to the use of NEVs, LSVs and golf carts. Formal action will not be taken at that meeting.

For clarification, Councilmember Busche asked if motorized vehicles/carts would be allowed on the trails. Mr. Laughlin reported they are not allowed on the trails. Mr. Leavitt stated that could be addressed in the regulations relating to our trails.

2. Receive Presentation and Discuss Home Property Maintenance Code Compliance

Public Works Director Scott Kriston reported the City adopted the 2015 International Property Maintenance Code, which includes sections that identify unsafe conditions relating to the exterior of a property. The City currently has one Code Officer position budgeted, but there are four (4) licensed Code Officers on staff. The City's current practice is to react if a complaint is reported.

Mr. Kriston reported the Property Maintenance Code establishes that the exterior structure:

- Must be in good repair and have no evidence of deterioration.
- Must be structurally sound. No loose or collapsing pieces of stairways, porches, balconies and similar structures.
- Must be kept in sanitary condition. No litter or debris around the exterior.
- Must prevent weather elements from entering the home.

He also added viewing of the above items can only be done from a public right-of-way. In the case of an unoccupied home, the premises can only be entered if there is a safety concern. Mr. Laughlin reported the Property Maintenance Code also applies to commercial and multi-family properties. There are 5,162 residential roof tops in the city. Mr. Kriston reported there have been thirty (30) citations issued from 2015 to 2017. Currently there are six (6) abandoned residential properties in the city. Each of the six properties has issues that are currently being addressed.

Mr. Kriston provided the current procedure used by staff when addressing an issue, which includes door tags, letters, and face to face meetings. He reported if there is no compliance, then a citation is issued. Mr. Leavitt encouraged residents to contact the City to report concerns. He also reported the recent article in "The Villager" newsletter was the first step in a public education campaign.

Mayor Wilcox stated she feels there is a difference in maintenance issues and abandonment issues. The abandoned homes are an eye sore and they need to be addressed. Regarding homeowners that have maintenance issues, she would prefer to refer them to civic organizations that could possibly help, if residents are having a hard time.

Mr. Kriston reported a nearby city has a program in place where a different area of the city is inspected on a quarterly basis. Residents receive notices several weeks in advance of what will be inspected during a drive through of their area. This combination of education and enforcement has been effective in that community.

3. Clarification of Consent or Action Items listed on today's City Council Regular Meeting Agenda of December 12, 2017

Relating to Agenda Items #15 and #20, City Manager Michael Leavitt reported these items are related to the bond program, with the resolution for Agenda Item #24 authorizing reimbursement for expenditures to pay for the engineering services relating to those two agenda items. Councilmember McGee suggested moving Agenda Item #24 to the Consent Agenda.

Mayor Wilcox announced Council would meet in Closed Session and read Agenda Item #4(a). City Attorney Kevin Laughlin reported legal counsel would also be provided in Closed Session regarding Regular Agenda Items #21 and #27.

CLOSED SESSION

Council convened into Closed Session at 6:43 p.m.

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)**
21. **Consider Ordinance 2017-1238 Amending the Code of Ordinances Article 6.03 relating to Hours and Days of Operation for Peddlers and Solicitors (2nd and final read)**
27. **Discuss Improvements at Sunset Point Park**

Council concluded Closed Session at 7:23 p.m.

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
	Fred Busche	Councilmember
	John McGee	Councilmember
	Daniel Jaworski	Councilmember
Staff Members:	Michael Leavitt	City Manager
	Kevin Laughlin	City Attorney
	Ken Heerman	Assistant City Manager
	Angela Miller	City Secretary
	Doug Reim	Police Chief
	Brad Goudie	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 Councilmember Dan Jaworski**

Councilmember Jaworski gave the invocation.

7. **Pledge of Allegiance to the U.S. and Texas Flags to be led by Councilmember Dan Jaworski**

Councilmember Jaworski led the Pledge of Allegiance to the U.S. and Texas Flags.

8. Visitor Comments

The following person spoke:

Chris Dooley (943 Inverness Circle) – Mr. Dooley stated he owns a 6-seat golf cart, and that, before making his purchase, he asked a Highland Village police officer what he needed to know about them. He reported he was provided a list of items required to make the golf cart street legal, which he included when ordering his golf cart, as well as some additional safety features. He stated he uses the golf cart for short distance trips and on slower streets, and that it adds to his quality of life. He suggested clarifying the requirements so golf carts can continue to be used in Highland Village. Mr. Dooley volunteered to serve as an advisor on the topic, if needed.

9. City Manager/Staff Reports

- **HVTV Update**

The latest video report from HVTV News was shown:

Santa's Tour – Santa and the Highland Village firefighters will come to each neighborhood in the city between December 17 – 22 from 6:00 p.m. until 8:30 p.m.; residents can follow Santa through the City on the new Santa Tracker, which is available on the City's website or mobile device

Careers on Wheels Day – last month the Highland Village Public Safety and Public Works Departments participated in this event, which was held at McAuliffe Elementary; a thank you video, which was created by a 5th grader at the school, was shown

Highland Village Business Association – residents were encouraged to visit thehvba.com to discover all the shopping, restaurants, party planning and gift giving options available in Highland Village

City Manager Michael Leavitt thanked the GIS Department, which helped launch the new Santa Tracker feature.

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 McGee reported a dedication was held on Saturday, December 2 for the Chris Kyle Veterans Center located in Roanoke. The 3,000 square foot facility will host a range of facilities for Veterans and their families, including a computer lab, work-out room, support group meetings, movie room, art room, reading/relaxing room, and a community resource room where other Veteran organizations can offer their services all under one roof.

Deputy Mayor Pro Tem Fleming announced the Highland Village Lions Club will be serving lunch on Wednesday, December 13 to all City employees as a thank you for their assistance during the Balloon Festival.

CONSENT AGENDA

Councilmember McGee requested Agenda Item #24 be moved up from the Regular Agenda to Consent Agenda. Mayor Wilcox moved Agenda Item #24 up to Consent.

11. **Consider Approval of Minutes of the Regular Meeting held on November 14, 2017 and Minutes of the Special Meeting held on November 17, 2017**
12. **Consider Ordinance 2017-1237 Repealing Ordinance 02-896 Adopting Revised Financial Polices of the City of Highland Village (2nd and final read)**
13. **Consider Resolution 2017-2719 Confirming the Selection of Market Cities and Strategy to be Utilized in Comparison Studies for the City of Highland Village**
14. **Consider Resolution 2017-2720 Authorizing the Purchase of a Backhoe from RDO Equipment through the City's Cooperative Purchasing Agreement with Texas Local Government Purchasing Cooperative (BuyBoard)**
15. **Consider Resolution 2017-2721 Authorizing the City Manager to Execute a Task Order with BW2 Engineers, Inc. for Engineering and Survey Services relating to the Highland Village Road Sidewalk Project, Phase III**
16. **Consider Resolution 2017-2722 Authorizing the Purchase and Installation of a Pre-Fabricated Restroom Building from Restroom Facilities, Ltd. for the Day Use Area at Pilot Knoll Park through the City's Cooperative Purchasing Agreement with Texas Local Government Purchasing Cooperative (BuyBoard)**
17. **Consider Resolution 2017-2723 Authorizing the Purchase and Installation of Lighting Improvements from Musco Lighting for Unity Park through the City's Cooperative Purchasing Agreement with Texas Local Government Purchasing Cooperative (BuyBoard)**
18. **Receive Budget Reports for Period Ending September 30, 2017**
24. **Consider Resolution 2017-2728 Declaring Expectation to Reimburse Expenditures with Proceeds of Future Debt**

Motion by Councilmember McGee, seconded by Deputy Mayor Pro Tem Fleming, to approve Consent Agenda Items #11 through #18, and Agenda Item #24. Motion carried 7-0.

ACTION AGENDA

19. **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

No action was taken.

20. Consider Resolution 2017-2726 Authorizing the City Manager to Execute a Task Order with BW2 Engineers, Inc. for Professional Engineering and Survey Services relating to the 2018 Street Improvement Project
APPROVED (7 – 0)

Public Works Director Scott Kriston stated City staff evaluated the 126 asphalt pavement streets located within the City using a pavement condition index (PCI) from our Street Maintenance Program. There were 50+ asphalt streets identified as needing reconstruction, with 23 of those streets in need of reconstruction within the next 4 years. In November 2017, City voters approved issuance of bonds for various purposes that included authorization to issue bonds in the amount of \$2.8 million to fund street improvements.

The following street sections, which include areas where water lines have been replaced under prior Utility projects, are identified as asphalt reconstruction candidates in our Street Maintenance Program:

- Oak Forest
- Winding Creek

- Rosedale Street
- Ranier Court
- Snowdon Court
- Sheldon Court
- Dickinson Drive
- Baird Circle
- Donna Circle

- Catesby Place
- Rockland Drive
- Hickory Ridge Drive
- S. Clearwater Drive
- N. Clearwater Drive
- Scenic Drive
- Springway Drive
- Pecan Street

- Arbor Court
- Park Lane
- Creek Place
- DuVall Drive
- Raintree Drive
- Greensprings Street

Mr. Kriston reported the streets will be grouped into four (4) construction projects with engineering design starting immediately and the construction phase anticipated to begin in the summer of 2018. Weather permitting, the goal is to have reconstruction completed by the summer of 2020. Councilmember Jaworski stated the question had been asked why this was not included as part of the general fund budget rather than as a bond project. He stated due to the high cost, this is not included in the general fund, but for reference he wanted to know the break down. Mr. Kriston reported the cost is approximately \$550,000 per mile or \$104 per linear foot, depending on the exact width of the street.

Motion by Councilmember Jaworski, seconded by Councilmember McGee, to approve Resolution 2017-2726 authorizing the City Manager to execute a Task Order with BW2 Engineers, Inc. for Professional Engineering and Survey Services relating to the 2018 Street Improvement Project. Motion carried 7-0.

21. Consider Ordinance 2017-1238 Amending the Code of Ordinances Article 6.03 relating to Hours and Days of Operation for Peddlers and Solicitors (2nd and final read)

TABLED (7 – 0)

City Attorney Kevin Laughlin reported staff has some additional provisions that may need to be addressed in the ordinance; therefore a modified version of the ordinance would need to be presented. He recommends tabling this ordinance and presenting a revised ordinance at a later meeting.

Motion by Deputy Mayor Pro Tem Fleming, seconded by Councilmember Busche, to table Ordinance 2017-1238 amending the Code of Ordinances Article 6.03 relating to Hours and Days of Operation for Peddlers and Solicitors. Motion carried 7-0.

22. Consider Ordinance 2017-1239 Repealing Code of Ordinances Article 2.07 relating to Assistance to Non-Profit Organizations (1st of two reads)

APPROVED 1ST READ (7 – 0)

City Secretary Angela Miller reported Ordinance 03-919 establishes a uniform policy for granting financial assistance to non-profit organizations and outlines criteria that must be met in order for an organization to be eligible for consideration. In reviewing the current ordinance, minor updates of the policy to conform to current practice is proposed.

Article 2.07 requires non-profit organizations desiring funding from the City to submit requests to the City Secretary's Office by April 15. Staff wishes to amend this so the deadline for submission of requests is established each year based on the budget calendar, but no later than August 31. This date is more in line with current procedures and more timely with the presentations to Council by the non-profit organizations. No changes regarding the level of funding the City may provide are being proposed.

In being consistent with general practice of the City approving policies by resolution, repealing of Article 2.07 is suggested. This is to be in conjunction with approval of the updated policy by resolution, concurrent with second read of repealing Ordinance 2017-1239.

Motion by Councilmember Jaworski, seconded by Councilmember Lombardo, to approve the first read of Ordinance 2017-1239 repealing Code of Ordinances Article 2.07 relating to assistance to non-profit organizations. Motion carried 7-0.

23. Consider Resolution 2017-2724 Approving and Authorizing Publication of Notice of Intent to Issue Certificates of Obligation

APPROVED (7 – 0)

Assistant City Manager Ken Heerman stated in the FY 2018 Budget Process, the Capital Improvement Program identified two separate financing components to be combined into one debt issuance: a Bond Election to address both parks and streets projects totaling

\$7.15M, and the issuance of Certificates of Obligation (CO) to address needed utility projects for \$2.85M. Voters approved the parks and streets proposition in the November 2017 election.

Certificates of Obligation (“COs”) do not require voter authorization and are approved by City Ordinance. After authorization of the “Notice of Intent to Issue COs, the notice must identify the projects to be financed and a not-to-exceed cost for the projects – it is to be published twice in the local newspaper of record. COs are subject to referendum by petition during the required publication period. A petition comprised of at least five (5) percent of the registered voters would be required to force an election to determine the authorization of the COs.

Mr. Jim Sabonis, Managing Director from First Southwest, provided a municipal market update, plan of finance, preliminary sources & uses of funds, and a schedule of events relating to the issuance of COs.

Motion by Councilmember McGee, seconded by Deputy Mayor Pro Tem Fleming, to approve Resolution 2017-2724 approving and authorizing publication of Notice of Intent to Issue Certificates of Obligation. Motion carried 7-0.

24. Consider Resolution 2017-2728 Declaring Expectation to Reimburse Expenditures with Proceeds of Future Debt

Mayor Wilcox moved this item from the Regular Agenda to the Consent Agenda.

25. Consider Resolution 2017-2725 Adopting Revised Financial Policies of the City of Highland Village

APPROVED (7 – 0)

Mr. Heerman reported following a comprehensive review and update of the policies to conform to best practices standards and changes to state law, a replacement financial policy, with addition of a debt management policy, was proposed to Council at the November 14, 2017 Council meeting. Mr. Heerman stated these policies provide guidelines for the financial management staff in planning and directing the City’s day-to-day financial operations. The last update to the City’s financial policies was in 2002, which was adopted by ordinance.

To be consistent with general practice of the City approving policies by resolution, the revised financial policies are submitted as a resolution for consideration. Concurrent with the resolution is repeal of the current ordinance. Council approved the first read of the repeal at their November 14th meeting.

Per the discussion at the November meeting, one change emanated relating to Section 15.03 delegation of purchasing authority, with initial recommendation of utilizing City Manager approved procedures to determine appropriate approval level for departments within the parameters of the \$50,000 City Manager purchasing authority. Council members however, indicated a preference that a specific departmental approval amount be identified in the policy. Mr. Heerman explained an approval level of \$5,000 is cited as the departmental purchasing limit for individual purchases and signing of contracts, which is consistent with current practice.

Motion by Councilmember Busche, seconded by Mayor Pro Tem Schwolert, to approve Resolution 2017-2725 adopting revised Financial Policies of the City of Highland Village. Motion carried 7-0.

- 26. Consider Resolution 2017-2727 Adopting a Debt Management Policy for the City of Highland Village**

APPROVED (7 – 0)

Mr. Heerman reported in conjunction with updated financial policies for the City, a debt management policy is being presented to provide guidelines for debt issuance. The proposed debt and financial policies were discussed with Council at their November 14th meeting. He stated a debt policy provides guidance to decision makers regarding the appropriate purposes for issuing debt, types of debt that are available, timing and method of sale, and structural features to use in debt issuance. In addition, he reported best-practice standards were also incorporated into the policy.

Motion by Mayor Pro Tem Schwolert, seconded by Councilmember Lombardo, to approve Resolution 2017-2727 adopting a Debt Management Policy for the City of Highland Village. Motion carried 7-0.

LATE WORK SESSION

- 27. Discuss Improvements at Sunset Point Park**

City Manager Michael Leavitt reported this item will be taken back to the Parks and Recreation Advisory Board for further review and will be brought back to Council at a later date.

- 28. Discuss Request for Proposals for Solid Waste and Recycling Services**

Mr. Leavitt reported there are three different service levels of collection, with six different pricing options, which were included in the agenda packet. The City Attorney will do a legal review of the draft RFP. The goal is to have the RFP published on January 10, with approval by City Council in April 2018. Mr. Leavitt encouraged Council to contact City staff if they have any questions.

- 29. 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.)**

Deputy Mayor Pro Tem Fleming reported a large truck had blocked traffic on Lake Vista for several hours and thanked Public Works staff for their assistance. Mr. Leavitt reported that since the completion of the 35Express Project, there has been an increase of large trucks coming from I-35 onto Highland Village Road. The City does have an ordinance prohibiting that and, during the construction of I-35, the signage was removed. Mr. Kriston is working to have signage installed.

Councilmember McGee asked about the status of the severe weather sirens. Mr. Leavitt reported City staff is working on the project with the City Attorney and it will be coming to Council in the near future.

30. Adjournment

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

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary