MINUTES OF THE REGULAR MEETING OF THE
HIGHLAND VILLAGE CITY COUNCIL
HIGHLAND VILLAGE MUNICIPAL COMPLEX
1000 HIGHLAND VILLAGE ROAD
TUESDAY, AUGUST 11, 2020

EARLY WORK SESSION

Mayor Charlotte J. Wilcox called the meeting to order in open session at 5:30 p.m. and announced pursuant to Governor Greg Abbott’s temporary suspension of various provisions of the Texas Open Meetings Act and in an effort to protect the health and safety of the public, the meeting is being conducted using social distancing practices. Members of the public are not allowed to attend the City Council meeting in person, but may view the City Council meeting live at no cost via www.highlandvillage.org/HVTV.

In addition, she reported any person wishing to provide comments on any matter to be considered on this agenda were to email such comments to the City Secretary by 1:00 p.m. on Tuesday, August 11, 2020.

Roll Call

Present: Charlotte J. Wilcox Mayor
         Jon Kixmiller Councilmember
         Michael Lombardo Mayor Pro Tem
         Barbara Fleming Deputy Mayor Pro Tem
         Tom Heslep Councilmember
         Robert A. Fiester Councilmember
         Daniel Jaworski Councilmember

Staff Members: Michael Leavitt City Manager
               Ken Heerman Assistant City Manager
               Kevin Laughlin City Attorney
               Angela Miller City Secretary
               Doug Reim Police Chief
               Michael Thomson Fire Chief
               Scott Kriston Public Works Director
               Jana Onstead Human Resources Director
               Sunny Lindsey Information Services Director
               Phil Lozano Parks and Recreation Director
               Laurie Mullens Marketing Communications Director
               Andrew Boyd Media Specialist

Mayor Wilcox announced that Closed Session would be addressed first on the agenda. She read Agenda Items #3(a) and #3(b).

CLOSED SESSION
Council convened into Closed Session at 5:31 p.m.

3. **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)**
   (b) **Section 551.074 – Personnel – Deliberate the Appointment and Employment of a Person to the Public Office of City Manager**

Council concluded Closed Session at 6:10 p.m. and reconvened into Early Work Session.

**EARLY WORK SESSION**

1. **Follow up Discussion on the General Fund Budget and Discuss the Utility Fund Budget for Fiscal Year 2020-2021**

Assistant City Manager Ken Heerman presented the Utility Fund Budget for Fiscal Year 2020-2021, which will maintain the current rate structure for water and sewer services. The current budget year is estimated to end with a seventy-five (75) day fund balance, and next year is estimated to end with an estimated eighty (80) day fund balance.

Discussion also continued on the General Fund Budget. Mr. Heerman reported approximately 29% of the properties in Highland Village are still under review by the Denton Central Appraisal District. Councilmember Heslep asked about paying cash, instead of financing, large equipment purchases. Mr. Heerman stated that has been our practice in the past. He added that our equipment replacement policy is being reviewed by an outside source to determine if any changes should be made that are more cost effective. Councilmember Kixmiller clarified only one (1) additional position is requested in the budget, which increases ongoing costs. Mr. Heerman stated there is one (1) position requested in next year's budget.

2. **Clarification of Consent or Action Items listed on Today’s City Council Meeting Agenda for August 11, 2020**

   No items were discussed.

Council concluded Early Work Session at 7:22 p.m. and took a short break prior to the start of the Regular Open Session Meeting.

**OPEN SESSION**

4. **Call to Order**

   Mayor Charlotte J. Wilcox called the meeting to order at 7:35 p.m.

   **Roll Call**

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<th>Present:</th>
<th>Mayor</th>
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<tr>
<td>Charlotte J. Wilcox</td>
<td>Jon Kixmiller</td>
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<td>Councilmember</td>
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<td>Barbara Fleming</td>
<td>Deputy Mayor Pro Tem</td>
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5. **Prayer led by Councilmember Daniel Jaworski**

Councilmember Jaworski gave the invocation.

6. **Pledge of Allegiance to the U.S. and Texas flags led by Councilmember Daniel Jaworski**

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

7. **Visitor Comments**

Mayor Wilcox announced any person wishing to provide comments on any matter to be considered on this agenda were to email such comments to the City Secretary by 1:00 p.m. on Tuesday, August 11, 2020. She asked if any public comments were received; City Secretary Angela Miller reported none were received.

Mayor Wilcox announced she received an email from resident Denise Turner (3106 Calstone Circle) voicing her support of a Chapel Hill trail connection project in next year’s budget.

8. **City Manager/Staff Reports**

   - **COVID-19 Update**

   Fire Chief Michael Thomson sadly reported the loss of two (2) Highland Village residents to COVID. Emergency operations continues to monitor the situation through daily calls with federal, state and county partners.

   - **HVTV Update**

   The update included a tour of Megan’s Lifestyle Boutique located in The Shops and a visit to Froyo Joe’s as part of the Foodie Friday segment.

9. **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

Mayor Wilcox wished Mr. Wilcox a happy 65th birthday.

CONSENT AGENDA

10. Consider approval of Minutes of the Regular City Council Meeting held on July 28, 2020 and of the Special City Council Meetings held on July 29, 2020, July 30, 2020, and August 4, 2020

11. Receive the Investment Report for Quarter Ending June 30, 2020

12. Receive Budget Reports for Period Ending June 30, 2020

Motion by Mayor Pro Tem Lombardo, seconded by Councilmember Heslep, to approve Consent Agenda Items #10 through #12. Motion carried 7-0.

ACTION AGENDA

13. 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 a 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
   (b) Section 551.074 – Personnel – Deliberate the Appointment and Employment of a Person to the Public Office of City Manager

Mayor Wilcox thanked members of the City Council for their dedication and work in hiring a new city manager. She voiced her appreciation of everyone’s trust and confidence as their elected officials made this important decision. Councilmember Jaworski added that Human Resources Director Jana Onstead did a great job and also thanked Ms. Onstead and Riley Harvill with the Harbeck Company for their hard work.

Motion by Deputy Mayor Pro Tem Fleming, seconded by Councilmember Jaworski, to appoint Paul Stevens of Rowlett, Texas, as City Manager of the City of Highland Village effective October 1, 2020, subject to satisfactory completion and review of a personal background check and successful negotiation and execution of an employment agreement. Further moving that the Mayor be authorized to negotiate an employment agreement with Mr. Stevens for the position of City Manager in accordance with the terms and conditions discussed in Closed Session, execution of such agreement to be subject to final approval by the City Council. Motion carried 7-0.

14. Consider the Ad Valorem Tax Rate for Year 2020 and Set a Public Hearing Date on the Proposed Fiscal Year 2020-2021 Budget and Proposed Tax Rate

Assistant City Manager Ken Heerman reported Truth in Taxation requires a public hearing, preceded by certain required public notice of the hearing and the proposed real property tax rate before implementing a property tax rate if a rate is considered which will exceed the lower of the Voter Approved Tax Rate (formerly known as the “Rollback Rate”) or the No New Revenue Tax Rate (formerly known as the “Effective Rate”). He further reported
that because the proposed tax rate of $0.56302 (which maintains the current tax rate) for Tax Year 2020 is below the Voter Approved Tax Rate of $.57908, but exceeds the No New Revenue Tax Rate of $0.56087, the Council must schedule a public hearing on the proposed tax rate before taking action to adopt the rate. Mr. Heerman added that this vote does not commit Council to a tax rate, however the Council cannot ultimately adopt a tax rate that exceeds the rate that is proposed in the motion approved by the Council.

**Motion by Mayor Wilcox, seconded by Councilmember Jaworski, that $0.56302 per $100 valuation be proposed for adoption as the City’s Ad Valorem tax rate for the 2020 tax year and sets September 8, 2020 as the date for holding the public hearing to receive public comment on said tax rate and the 2020-2021 Fiscal Year budget. Motion carried 7-0.**

**LATE WORK SESSION**

15. **Discuss the Upcoming Board and Commission Appointments and Non-Profit Presentations**

City Secretary Angela Miller reported Council has held a Meet and Greet in September prior to making annual board and commission appointments. In addition, non-profit organizations have also provided in-person presentations to Council in October regarding their services. However, due to COVID-19 and the Executive Orders issued by Governor Abbott, other options may need to be considered this year.

Consensus of Council is to hold a Meet and Greet with new applicant and with small groups using social distancing practices. Additionally, presentations by non-profit organizations will be scheduled individually and limited to only one (1) representative from each organization attending.

16. **Discuss an Update of the City's Code of Ordinances**

City Manager Michael Leavitt reported several city ordinances are in need of updates, including our animal ordinance. He provided a copy of the current ordinance, along with proposed modifications as recommended by the City Attorney. He stated the City’s prosecutor would also be reviewing the ordinance. Mr. Leavitt added that Police Chief Reim would be working on the updates with our City Attorney and Prosecutor, and will be providing an update to Council at a future meeting. He also reported the City’s Code of Ordinances need to be reviewed and updated, with this just being a starting place.

17. **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 Wilcox reported the November 24, 2020 and December 22, 2020 meetings fall during holiday weeks, therefore she recommended cancelling those meetings; an item for formal action by Council will be on the next meeting agenda. Mayor Wilcox also asked for an update on the Chapel Hill trail connection at a future Council meeting.

18. **Adjournment**

Mayor Wilcox adjourned the meeting at 8:20 p.m.
Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary