



**MINUTES OF THE REGULAR MEETING
HIGHLAND VILLAGE CITY COUNCIL
HIGHLAND VILLAGE MUNICIPAL COMPLEX
1000 HIGHLAND VILLAGE ROAD
TUESDAY, JUNE 14, 2022**

EARLY WORK SESSION

Mayor Daniel Jaworski called the meeting to order at 6:04 p.m.

Roll Call

Present:	Daniel Jaworski	Mayor
	Michael Lombardo	Mayor Pro Tem
	Jon Kixmiller	Deputy Mayor Pro Tem
	Shawn Nelson	Councilmember
	Tom Heslep	Councilmember
	Brian A. Fiorenza	Councilmember
Absent:	Robert A. Fiester	Councilmember
Staff Members:	Paul Stevens	City Manager
	Ken Heerman	Assistant City Manager
	Kevin Laughlin	City Attorney
	Angela Miller	City Secretary
	Mark Stewart	Assistant Police Chief
	Jason Collier	Assistant Fire Chief
	Scott Kriston	Public Works Director
	Jana Onstead	Human Resources Director
	Laurie Mullens	Marketing & Communications Director
	Andrew Boyd	Media Specialist

1. Discuss Appointment of the Primary and Alternate Representatives for the Town of Flower Mound, City of Lewisville and City of Highland Village to the Regional Transportation Council of the North Central Texas Council of Governments

City Secretary Angela Miller reported the Cities of Lewisville, Highland Village and Town of Flower Mound share a seat on the Regional Transportation Council (RTC), which allows for a primary member and an alternate member. Our current primary presentative is City of Lewisville Mayor Pro Tem Brandon Jones, with Charlotte Wilcox serving as the alternate. Their terms expire this year and new appointments will begin serving in July. Mrs. Miller added that the City of Lewisville plans to re-appoint Mr. Jones and will consider appointing Mayor Jaworski as the alternate representative. Mayor Jaworski stated he would be interested in serving if there were a consensus of Council.

Councilmember Fiorenza asked for clarification on the duties of the RTC. City Manager Paul Stevens reported the RTC is the independent transportation policy body for the

Metropolitan Planning Organization. The RTC is made up of 44 members, composed primarily of local elected officials from the metropolitan area and representatives of each of the area's transportation providers. The RTC oversees the metropolitan transportation planning process. The RTC plays an important role as their primary activities include guiding the development of multimodal transportation plans and programs, determining the allocation of federal, state and regional transportation funds, selecting transportation projects in some programs and recommending projects to the Texas Transportation Commission for other programs, ensuring transportation providers coordinate services, and ensuring the metropolitan area complies with state and federal laws and regulations regarding transportation and air quality.

Consensus of Council is to reappoint Brandon Jones as primary and appoint Mayor Jaworski as alternate. Council also requested Mr. Jones provide an update at a future meeting.

2. Clarification of Consent or Action Items listed on Today's City Council Meeting Agenda for June 14, 2022

Relating to Agenda Item #13, Mayor Pro Tem Lombardo asked if existing chicken coops or cages that are located less than fifty (50) feet from a residential structure located on an adjacent lot would be grandfathered or would they no longer be allowed under the proposed ordinance. City Attorney Kevin Laughlin reported they would be allowed in the proposed ordinance with a fowl permit, and with written consent of the adjacent property owner and tenant, if the property is being leased. He added that if the adjacent property ownership and/or tenant changes, the fowl permit is revoked and the process starts over. Councilmember Fiorenza asked if there will be a fee for the fowl permit, and how the City plans to communicate information about the new permit to residents. City Manager Stevens stated there is no fee for the fowl permit and that City staff would use social media and other communication opportunities to educate the community.

Mayor Jaworski announced that Council would meet in Closed Session and read Agenda Items #3(a) and #3(b).

CLOSED SESSION

Council convened into Closed Session at 6:25 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 Employment and Evaluation of the Highland Village Municipal Court Judge**

Council concluded Closed Session at 7:08 p.m. and returned to Early Work Session, which was immediately adjourned.

OPEN SESSION

4. Call Meeting to Order

Mayor Daniel Jaworski called the meeting to order at 7:10 p.m. and announced our Mayor for the Day, Allen Wehkamp.

Roll Call

Present:	Daniel Jaworski	Mayor
	Michael Lombardo	Mayor Pro Tem
	Jon Kixmiller	Deputy Mayor Pro Tem
	Shawn Nelson	Councilmember
	Tom Heslep	Councilmember
	Brian A. Fiorenza	Councilmember
Absent:	Robert A. Fiester	Councilmember
Staff Members:	Paul Stevens	City Manager
	Ken Heerman	Assistant City Manager
	Kevin Laughlin	City Attorney
	Angela Miller	City Secretary
	Mark Stewart	Assistant Police Chief
	Jason Collier	Assistant Fire Chief
	Scott Kriston	Public Works Director
	Laurie Mullens	Marketing & Communications Director
	Andrew Boyd	Media Specialist

5. Prayer led by Mayor Pro Tem Mike Lombardo

Mayor Pro Tem Lombardo gave the invocation.

6. Pledge of Allegiance to the U.S. and Texas flags led by Mayor Pro Tem Mike Lombardo

Mayor Pro Tem Lombardo led the Pledge of Allegiance to the U.S. and Texas flags.

7. Visitor Comments

The following person spoke:

Christopher Scott – Mr. Scott spoke regarding an ordinance relating to animal control that was amended in its entirety in September 2021. He stated in April 2020 a complaint was made to the City regarding the animals being kept at Mr. Brenten Szekely's property, which resulted in a visit from an Animal Control Officer (ACO). Mr. Scott stated the ACO was satisfied with the care, enclosures and well-being of all of their animals, and were told a review of the City's ordinance would need to be done to determine if the animals could remain. Mr. Scott presented a timeline of events and reported he asked multiple times to present his case to Council and was denied due to Covid-19. Mr. Scott stated he wanted to present his case when Council meetings resumed but was never given an opportunity.

Mr. Scott stated the City did issue permits allowing them to keep their animals. He further stated that changes to the animal control ordinance were discussed in August 2021 and an ordinance passed unanimously by City Council on September 14, 2021. Upon renewal of their permits in 2022, Mr. Scott reported being notified of the ordinance changes and having to resubmit their application, which was denied. Notice was received stating the animals would need to be removed and an extension was granted. Mr. Scott stated he

had submitted numerous emails and phone calls requesting to address Council, which was never granted. Mr. Scott requested Council consider including a grandfather clause in the ordinance. Additionally he stated the animals are pets, are well cared for and not causing any issues with their neighbors.

8. **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 Pro Tem Lombardo reported Celebrate Highland Village was a great event and thanked City staff and the Highland Village Lions Club for their hard work.

Mayor Jaworski reported the Clark family of Highland Village lost their home and most of their belongs in a residential fire. He announced a *Go Fund Me* has been set up if anyone would like to help. A video has been published on the City's social media pages with information on making a donation.

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

Mayor Jaworski presented a proclamation to Allen Wehkamp celebrating him as our Mayor for the Day.

9. **City Manager/Staff Reports**

City Manager Paul Stevens reported Highland Village has been recognized by SafeWise as the 7th safest city in Texas.

Councilmember Fiorenza reported City staff had worked to get the splash pad open this summer but saw a Cross Timbers Gazette article reporting it is closed. He requested City staff provide information to alert patrons that it is actually open this season.

- **The Village Report**

The Village Report featured different ways to enjoy summer in Highland Village, as well as a thank you to the community for attending the recent Celebrate Highland Village event.

CONSENT AGENDA

10. **Consider approval of Minutes of the Regular City Council Meeting held on May 24, 2022**

Motion by Councilmember Fiorenza, seconded by Councilmember Heslep, to approve Consent Agenda Item #10. Motion carried 6-0.

ACTION AGENDA

11. **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
(b) Section 551.074 – Personnel – Deliberate the Employment and Evaluation of
the Highland Village Municipal Court Judge
NO ACTION TAKEN**

No action was taken on Items #11(a) or #11(b).

- 12. Consider Resolution 2022-3002 joining the Appointment of the Primary and Alternate Representatives for the Town of Flower Mound, City of Lewisville and City of Highland Village to the Regional Transportation Council of the North Central Texas Council of Governments**
APPOINTMENTS MADE AND APPROVED (6 - 0)

City Secretary Angela Miller reported the current primary representative is City of Lewisville Mayor Pro Tem Brandon Jones, with Charlotte Wilcox serving as the alternate. She added this was discussed during Early Work Session and this item provides an opportunity for Council to take any formal action.

Motion by Mayor Pro Tem Lombardo, seconded by Councilmember Kixmiller, to reappoint Brandon Jones as primary representative and Mayor Daniel Jaworski as alternate representative to the Regional Transportation Council. Motion carried 6-0.

- 13. Consider Ordinance 2022-1294 amending Chapter 4 “Animal Control” of the Code of Ordinances ” by Amending Section 4.01.003 “Fee Schedule” Relating to the Reduction, Refund, or Waiver of Fees; and Retitling and Amending Section 4.05.005 “Keeping of Chickens and Roosters” by Changing the Word “Bird” to “Fowl” and Establishing Exceptions to the Distance Requirements for Coop, Cage or Pen Locations (1st of two reads)**
APPROVED 1st READ (6 – 0)

Assistant Chief Stewart reported City staff had presented and discussed with Council the proposed amendments at their April 12 and 26, 2022 meetings. Chief Stewart reviewed the changes proposed in Ordinance 2022-1294, which included:

- Authorizes the City Manager or designee to reduce, refund or waive animal fees
- Clarifies the definition of fowl
- Establishes a fowl permit
- Establishes exceptions to the distance requirements for coop, cage or pen locations that are less than fifty feet (50') from a residential structure of an adjacent property

Motion by Councilmember Heslep, seconded by Councilmember Fiorenza, to approve the first read of Ordinance 2022-1294. 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 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.)**

Councilmember Fiorenza requested a future agenda item to review of traffic counts and speed limits for certain intersections on FM 407 and on FM 2499.

Councilmember Heslep inquired as to when his request to review the contract with Denton County Transportation Authority (DCTA) would take place; City attorney Kevin Laughlin reported he is working to put the information together and would have it ready in the near future. Councilmember Nelson reported that DCTA was awarded funds in 2020 from the Federal Transit Authority to conduct high level preliminary planning for transit-oriented development along the Kansas City Southern line, which runs through Highland Village. If the study has been completed, Councilmember Nelson requested getting the information from DCTA. City Manager Paul Stevens reported that project has just begun and is in the preliminary stage. Mr. Stevens added he would get information to Council regarding the project timeframe and when the study would be complete.

Councilmember Kixmiller stated the new sidewalk along Highland Village Road looked good and asked for an update. Public Works Director Scott Kriston reported no problems with the project and that it is moving along at a good pace.

Mayor Jaworski asked if the City is phasing out its pedestrian crossing lights. Mr. Kriston reported they have reached the end of their life cycle and are being phased out. Replacement equipment will be requested in next year's budget.

15. Adjournment

Mayor Jaworski adjourned the meeting at 7:42 p.m.

Daniel Jaworski, Mayor

ATTEST:

Angela Miller, City Secretary