

**State of Texas  
County of Denton  
City of Lake Dallas**

The Lake Dallas City Council met in a regular meeting on July 24, 2014 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:30 p.m.

**A. ROLL CALL**

|              |                 |
|--------------|-----------------|
| Tony Marino  | Mayor           |
| James Harper | Councilmember 1 |
| Mike McCaleb | Councilmember 2 |
| B.W. Brooks  | Councilmember 3 |
| Karl Hammond | Councilmember 5 |

Councilmember Estrada was absent.

**Staff Present:** City Manager/Police Chief Nick Ristagno; City Secretary Joni Vaughn; Police Captain Wes Frazier; Community Development Director Char Dupree; City Attorney David Berman

**B. INVOCATION**

Councilmember James Harper gave the invocation.

**C. PLEDGE OF ALLEGIANCE:**

Mayor Marino led the pledges of allegiance.

**D. ANNOUNCEMENTS**

The annual Float and Fly will be Saturday, July 26<sup>th</sup> at 8 a.m. at Willow Grove Park. There will be no day use fee at the park during the event.

**E. PRESENTATIONS**

There were no presentations.

**F. REPORTS**

**1) Boards and Commissions**

Planning and Zoning met this month and has items on the agenda this evening.

**G. VISITORS/CITIZENS AGENDA** *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

Ruth Brige, 314 Georgian Oak, Lake Dallas, spoke to Council regarding the parking of commercial trucks in a residential area. Mrs. Brige's husband owns a commercial truck and she would like for him to be able to park in front of their home when he is not working. Mrs. Brige does not understand why motor homes are allowed to be parked on residential streets for 14 days, but commercial vehicles are not. She would like to get permission for her husband to be able to park his truck for 24 or 48 hours when he is in town. Mayor directed Staff to look in to this matter.

**H. CONSENT AGENDA**

- 1) Consideration and Action to approve the minutes of the July 10, 2014 meeting.**
- 2) Consideration and Action to approve the 2<sup>nd</sup> Quarter Investment Report.**

**Motion** to approve the Consent Agenda consisting of the minutes of the July 10, 2014 meeting and the 2<sup>nd</sup> quarter Investment Report was made by Councilmember Hammond and second by Councilmember McCaleb

**Ayes:** Councilmembers Hammond, McCaleb, Harper, and Brooks

**Noes:** None

**Motion Passed**

**I. BUSINESS**

**3) Consideration and Action to approve the proposed site plan for BMR Pools at 451 Betchan Avenue.**

Community Development Director Char Dupree reported that the Planning and Zoning Commission unanimously approved this site plan at their meeting on July 17<sup>th</sup>.

**Motion** to approve the proposed site plan for BMR Pools at 451 Betchan Avenue was made by Councilmember Brooks and second by Councilmember Harper.

**Ayes:** Councilmembers Brooks, Harper, McCaleb, and Hammond

**Noes:** None

**Motion Passed**

**1) Public Hearing to hear comments on an application by Cary Daniels, business owner of Daniels Brothers Management, for a Special Use Permit to allow the use of arcade and video games for the purpose of a sweepstakes business at the property located at 209 S. Shady Shores Road, Suite 400, City of Lake Dallas, Denton County, Texas. The legal description of the property is A0958a McCarroll, Tract 13a, and it is zoned C-2 Commercial. Chapter 122, Zoning, of the Code of Ordinances of the City of Lake Dallas, Article XIII, Special Use Permits, Section 122-691 (19), allows for application to be made.**

No one from Daniels Brothers Management was in attendance.

Kathy Thompson, 203 S. Lake Dallas Drive, Lake Dallas, spoke in opposition to the sweepstakes business. Mrs. Thompson has concerns about the type of business, the security, the hours, and the parking.

**2) Consideration and Action to approve a Special Use Permit to allow the use of arcade and video games for the purpose of a sweepstakes business at the property located at 209 S. Shady Shores Road, Suite 400, Lake Dallas, Texas.**

**Motion** to deny a Special Use Permit to allow the use of arcade and video games for the purpose of a sweepstakes business at the property located at 209 S. Shady Shores Road, Suite 400, Lake Dallas, Texas was made by Councilmember Hammond and second by Councilmember Harper.

**Ayes:** Councilmembers Hammond, Harper, McCaleb, and Brooks

**Noes:** None

**Motion Passed**

**4) Consideration and Action to approve a resolution granting a water well permit for the Montserrat Retreat House at 600 N. Shady Shores Road to drill for two water wells on their property for the purpose of irrigation.**

**Motion** to approve funding a resolution granting a water well permit for the Montserrat Retreat House at 600 N. Shady Shores Road to drill for two water wells on their property for the purpose of irrigation was made by Councilmember McCaleb and second by Councilmember Hammond.

**Ayes:** Councilmembers McCaleb, Hammond, Harper and Brooks

**Noes:** None

**Motion Passed**

## **J. WORKSHOPS**

### **1) Charter amendments**

Council and Staff discussed the possibility of changing the age limit to serve on Council from 18 to 21. Consensus of the Council was that since this item was brought before the voters several years ago, they do not want to pursue that as a charter amendment at this time.

Council and Staff discussed changing term limits from two years to three years. Council does want to move forward with this as an amendment to the charter. City Attorney David Berman informed the Council about 3 year terms and what would be different if they chose to have 3 year terms. City Attorney Berman will prepare the ordinance to call the election and will work out the details for the charter amendment proposition.

### **2) Budget**

City Manager Ristagno briefed the Council on minor changes to the Budget worksheets.

### **3) Road repairs**

City Manager Ristagno would like to continue for this year working on improving the approach to our premier park, Willow Grove. He would like to get some prices on doing an overlay on Hundley Drive from Lakeview to the park. We are looking at different strategies to do more streets at one time for next year.

## **K. CITY MANAGER REPORT**

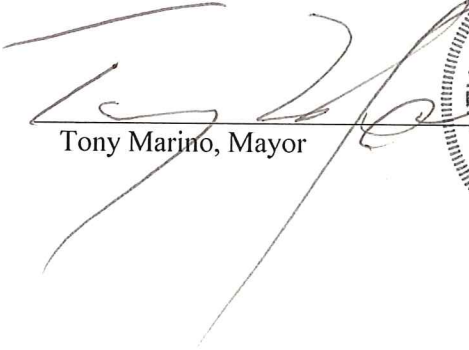
City Manager Ristagno reported that we will be bringing the rezoning of Swisher Road to Council at the last meeting in August. City Manager Ristagno approached Andrews Distributing about the City rezoning their property from M-1 to C-1, but they were not favorable to that idea. Council indicated they would like to move forward with rezoning that property. Corinth has approached us about use of the animal shelter and we are working on a contract. We striped City Park parking lot. The fence has been erected at Hundley Boat Yard. The sand area at Willow Grove is about to be finished.

## **L. NEW AGENDA ITEMS**

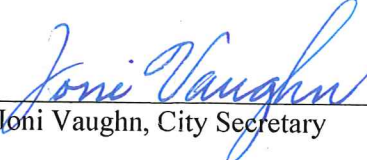
Resolution to support a statewide ban on texting while driving.

## **M. ADJOURNMENT**

Mayor Marino adjourned the meeting at 8:17 p.m.

  
Tony Marino, Mayor



  
Joni Vaughn, City Secretary

