

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on March 26, 2015 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 7:33 p.m.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
B.W. Brooks	Councilmember 3
April Estrada	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: City Manager/Police Chief Nick Ristagno; City Secretary Joni Vaughn; Finance Director Donna Boner; Police Captain Wes Frazier; Community Development Director Char DuPree; Community Relations Manager Stephanie Berndt

Councilmember Mike McCaleb was absent.

B. INVOCATION

Councilmember Harper gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Ristagno announced that the City held a City-wide Clean Up at the City Yard on March 21st. The City will launch its new website on April 9th. Waste Management delivered new 65 gallon recycle carts to all the households in Lake Dallas. The Circus sponsored by the Lake Cities United Methodist Church was a big hit. Texas Trash Off will be held April 11th from 9-11 am.

E. PROCLAMATIONS

Mayor Marino proclaimed April as National Safe Digging Month in Lake Dallas.

F. REPORTS

1) Boards and Commissions

The Parks, Recreation, and Keep Lake Dallas Beautiful Board met to work on plans for the Mighty Thomas Carnival May 7-10th and the July 4th Celebration. The Planning and Zoning Commission met and recommends approval of two items on the Council agenda this evening. The Economic Development Corporation met March 23rd to finalize the sale of their property on Swisher Road. They are closing on the Swisher Road property on Friday. Monday, March 30th the EDC will meet to officially shut down per the will of the voters. The EDC was collecting a one half cent sales tax. Following its dissolution on Monday, beginning April 1st the City will begin to collect one quarter cent sales tax for the road construction and maintenance fund. On October 1st the City will begin collecting the other one quarter cent sales tax for the property tax relief fund. These dates were determined by the State of Texas. Between April and October, the existing sales tax rate of 8.25% will reduce to 8%, and then return to 8.25% on October 1st. Citizens should begin to see incremental reductions to property tax rates beginning with the Fiscal Year 2016 Budget.

2) Finance

Donna Boner gave the monthly financial report.

G. VISITORS/CITIZENS AGENDA

Stephen Wohr, 715 Lakeland Road, Lake Dallas, addressed the Council and requested that they review the current towing ordinance.

H. CONSENT AGENDA

- 1) Consideration and Action to approve the minutes of the February 26, and March 12, 2015 meetings.**
- 2) Consideration and Action to approve the financials for February 2015.**

Motion to approve the Consent Agenda consisting of the minutes of the February 26 and March 12, 2015 meetings and the February financials was made by Councilmember Estrada and second by Councilmember Hammond.

Ayes: Councilmembers Estrada, Hammond, Harper, and Brooks

Noes: None

Motion Passed

I. BUSINESS

- 1) City Auditor's Seven-year Comparison Report regarding the City's financial position from 2008 through 2014.**

Carl Deaton, of Hankins, Eastup, Deaton, Tonn & Seay, Certified Public Accountants, serves as the auditor for the City of Lake Dallas. Mr. Deaton came to Council to offer a seven year financial position comparison and to give some explanation for the economic decline the City went through for a period of years. Mr. Deaton explained that unrealistic and over-projected revenues combined with unbudgeted expenses were the cause of a number of years of deficit spending that depleted the City's fund balance reserves. In the past two years, the City has finally pulled out of this deficit spending by implementing more realistic budgeting which included conservative projections of revenues and holding expenses within those projections. The City ended the last fiscal year back in the black for the first time since 2010 with a general fund balance of \$539,018. Mr. Deaton was pleasantly surprised that the City was able to recover so quickly from such loss. While this is a tremendous improvement over previous years, Mr. Deaton reminded Council that a three month reserve is recommended so the City should have about a one million dollar fund balance to fulfill that recommendation.

- 2) Council Interview with Board Applicants.**

Council interviewed Keri Marie Sutherland and Wayne James for various board positions. Ms. Sutherland has lived in the City for 5 years and serves as the Chair for the Parks Board. She would like to serve on the CDC Board. Mr. James has lived in the City for 6 months and would like to serve on the Parks Board.

- 3) Public Hearing to hear comments on the proposed replat of Block 4, Lots 1, 2, 3, 4, 5, 6, 11, 12, 13, 14, 15, 16 of the Lake Dallas Shores Additions into one lot.**

Mayor Marino opened the Public Hearing.

Jerry Goodale, 3808 Red Oak, Corinth, the property owner, explained that he wants to create one lot with an entrance off of Lakeview and establish a Lakeview address for the property. Consolidating the lots will also simplify things with property tax billing.

Mayor Marino closed the Public Hearing.

- 4) **Consideration and Action to approve a replat of Block 4, Lots 1, 2, 3, 4, 5, 6, 11, 12, 13, 14, 15, 16 of the Lake Dallas Shores Additions into one lot.**

Motion to approve a replat of Block 4, Lots 1, 2, 3, 4, 5, 6, 11, 12, 13, 14, 15, 16 of the Lake Dallas Shores Additions into one lot was made by Councilmember Brooks and second by Councilmember Estrada.

Ayes: Councilmembers Brooks, Estrada, Harper, and Hammond

Noes: None

Motion Passed

- 5) **Public Hearings to hear comments on the proposed rezoning of Block 5, Lots 1, 2, 3, 4 of the OT Garza, City of Lake Dallas, Denton County, Texas from C-1 Commercial to Planned Development District (Mixed Use).**

Mayor Marino opened the Public Hearing.

Terry Lantrip, Urban Retro, explained his project to Council. He will have two commercial spaces downstairs that will each be 1000 square feet and two apartments upstairs, each 1000 square feet. Councilmember Harper had concerns about the aesthetics of the rainwater collection tank. Mr. Lantrip said he is trying to be eco-friendly and the tank will not be visible once the second building is built.

Mayor Marino closed the Public Hearing.

- 6) **Consideration and Action to approve rezoning of Block 5, Lots 1, 2, 3, 4 of the OT Garza, City of Lake Dallas, Denton County, Texas from C-1 Commercial to Planned Development District - Mixed Use.**

Motion to approve rezoning of Block 5, Lots 1, 2, 3, 4 of the OT Garza, City of Lake Dallas, Denton County, Texas from C-1 Commercial to Planned Development District - Mixed Use was made by Councilmember Brooks and second by Councilmember Hammond.

Ayes: Councilmembers Brooks, Hammond, Harper, and Estrada

Noes: None

Motion Passed

- 7) **Consideration and Action to accept Carol Ann Connors resignation from the Board of Adjustment.**

Motion to accept Carol Ann Connors' resignation from the Board of Adjustment was made by Councilmember Hammond and second by Councilmember Harper.

Ayes: Councilmembers Hammond, Harper, Brooks, and Estrada

Noes: None

Motion Passed

- 8) **Consideration and Action to nominate members for the Board of Appeals.**

The Council took no action due to the absence of Councilmember McCaleb.

9) Consideration and Action to accept the dedication of a 1.113 acre tract known as Lakeview Parkway West from the Lake Dallas Economic Development Corporation.

Motion to accept the dedication of a 1.113 acre tract known as Lakeview Parkway West from the Lake Dallas Economic Development Corporation was made by Councilmember Harper and second by Councilmember Hammond.

Ayes: Councilmembers Harper, Hammond, Brooks, and Estrada

Noes: None

Motion Passed

10) Consideration and Action to approve contract changes to the sale of the Lake Dallas Economic Development Corporation property at 502 E Swisher Road.

Motion to approve contract changes to the sale of the Lake Dallas Economic Development Corporation property at 502 E Swisher Road was made by Councilmember Brooks and second by Councilmember Harper.

Ayes: Councilmembers Brooks, Harper, Hammond, and Estrada

Noes: None

Motion Passed

Mayor Marino adjourned the meeting at 8:23 pm for a short break.
Mayor Marino reconvened the meeting at 8:35 pm.

J. PRESENTATION

Stephanie Berndt, Community Relations Manager, gave Council a look at the new City website.

11) Discussion regarding the I35 and Main Street Overlay Districts in preparation for a joint meeting with the Planning and Zoning Commission and the Department of Community Development.

City Manager Ristagno gave some background information on the Council's request to discuss the two zoning areas. Councilmember Brooks stated we are a recreational city and he would like to see the City discuss adopting a golf cart ordinance. He would also like to see lake related daily rentals allowed in the Downtown District. Councilmember Harper would like to look at the overall picture of the zoning we already have in place and see what is still needed and where might be a more appropriate place for these types of rentals that Councilmember Brooks is suggesting. Mayor Marino stated that the former City Manager allowed some businesses to go in to areas of zoning where they were prohibited. He said we need to discuss and decide if we are going to stick to the zoning regulations we have already established. Councilmember Brooks feels Council needs to reconsider some of the prohibited uses. City Manager Ristagno pointed out a few restrictions that might need to be looked at, such as the lot lines being right up against the street on Main Street and the requirement of underground utilities in some areas which may be cost prohibitive for new businesses. Councilmember Brooks would like to have a joint workshop with Planning and Zoning to look at some of these issues. Councilmember Harper would like to include the Community Development Corporation in the joint workshop. Councilmember Estrada agrees with Councilmember Harper that we need to look at the overall picture that is already in place. City Manager Ristagno asked what to do about businesses that currently aren't in compliance with the zoning. Councilmember Brooks feels these businesses should be left alone until Council reviews all the zoning.

K. CITY MANAGER REPORT

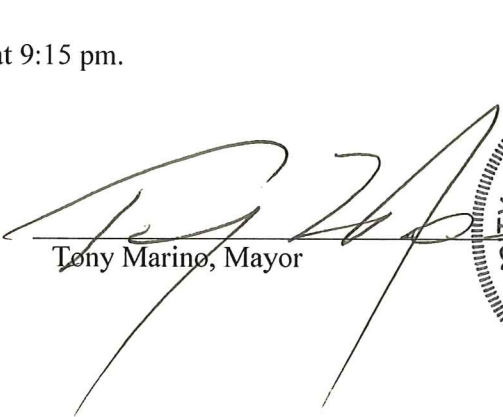
City Manager Ristagno reported he has heard that the County funding for the Main Street concrete road project is about to be approved. The apartment project is going well.

L. NEW AGENDA ITEMS

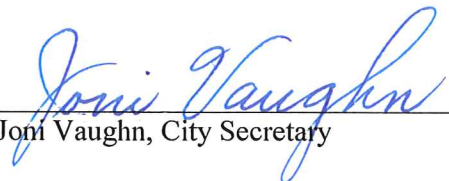
Review towing ordinance

M. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:15 pm.


Tony Marino, Mayor




Joni Vaughn, City Secretary

