

**MINUTES
OCTOBER 20, 2009
HEATH CITY COUNCIL
200 LAURENCE DRIVE - HEATH, TEXAS
STATED MEETING – EXECUTIVE SESSION**

ATTENDING: JOHN RATCLIFFE, MAYOR
JULIE ZUREK, MAYOR PRO TEM
ROBERT HILLE
RICHARD KRAUSE
LORNE LIECHTY
KAREN LEWIS
STEVE McKIMMEY

Mayor Ratcliffe called the stated meeting to order at 7:30 p.m. Liechty delivered the invocation.

Department and Committee Reports – The Reports were included in the Council packets. Director of Public Safety Terry Garrett provided a report regarding the Heath High School Homecoming Parade and plans for parade procedure improvements for future events. Hille related information and encouraged staff and Council support and participation in:

- The Vial of Life Project that provides readily available preparation procedures to assist emergency personnel in the administering of proper medical treatment;
- The Knowwhat2do Program that provides education for emergency preparedness; and
- National Incident Management Systems (NIMS) training through the Federal Emergency Management Administration (FEMA).

Approval of the Minutes of September 15, 2009.

MOTION: APPROVE THE MINUTES OF SEPTEMBER 15, 2009.

MOTION MADE: HILLE
SECONDED: LEWIS
APPROVED: UNANIMOUS

Discussion and Action Regarding Resolution 091020A Authorizing the Mayor to Execute an Agreement with Dallas MTA, L.P. d/b/a Verizon Wireless for Installation of Wireless Communication Antennas on the City's Elevated Water Storage Facility and Related Memorandum.

City Attorney Pete Eckert presented and answered questions regarding the agreement pertaining to the installation of wireless antennas on the City's elevated water storage facility. Eckert noted that, prior to installation, setback variances from the Board of Adjustment would be required for certain of the planned facilities.

MOTION: APPROVE RESOLUTION 091020A AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH DALLAS MTA, L.P. D/B/A VERIZON WIRELESS FOR INSTALLATION OF WIRELESS COMMUNICATION ANTENNAS ON THE CITY'S ELEVATED WATER STORAGE FACILITY AND RELATED MEMORANDUM PROVIDED THAT THE AGREEMENT IS FIRST EXECUTED BY AN AUTHORIZED VERIZON REPRESENTATIVE AND THAT VARIANCES TO SETBACK REQUIREMENTS ARE GRANTED BY THE HEATH BOARD OF ADJUSTMENT.

MOTION MADE: KRAUSE
SECONDED: HILLE
APPROVED: UNANIMOUS

Discussion and Action Regarding Resolution 091020B Directing Staff to Pursue all Energy Efficiency and Conservation Block Grant (EECBG) Funding available through the American Recovery and Reinvestment Act (ARRA) of 2009 and being allocated by the State Energy Conservation Office (SECO) to be used to Assist in Reaching the City's Goals of Energy Efficiency and to Continue the City's Commitment toward Energy Efficiency for the Citizens of the City of Heath and all of Texas.

Action was deferred to a future meeting in order to research further funding and reporting requirements associated with Energy Efficiency Conservation Grants available through the American Recovery and Reinvestment Act of 2009.

Discussion and Action Regarding Release and Settlement Agreement pertaining to a Sanitary Sewer Easement on Tract 7 in the J. Cantor Survey Abstract No. 53, Rockwall County, Texas owned by Robert B. and Jennifer Lamberth.

The Release and Settlement Agreement was revised in Section 2 to add "Such release and consideration stated herein shall include but not be limited to any correspondence between Lamberth(s) and representative(s) of the City either past or current."

MOTION: APPROVE THE RELEASE AND SETTLEMENT AGREEMENT PERTAINING TO A SANITARY SEWER EASEMENT ON TRACT 7 IN THE J. CANTOR SURVEY ABSTRACT NO. 53, ROCKWALL COUNTY, TEXAS OWNED BY ROBERT B. AND JENNIFER LAMBERTH AS AMENDED IN SECTION 2 TO ADD "SUCH RELEASE AND CONSIDERATION STATED HEREIN SHALL INCLUDE BUT NOT BE LIMITED TO ALL CORRESPONDENCE BETWEEN LAMBERTH(S) AND REPRESENTATIVE(S) OF THE CITY, PAST OR CURRENT" OR LANGUAGE TO THAT EFFECT AS APPROVED BY THE CITY ATTORNEY.

MOTION MADE: LEWIS
SECONDED: ZUREK
APPROVED: UNANIMOUS

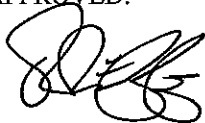
Discussion and Action Regarding August 2009 Amendment to Residential Developer Agreement pertaining to Buffalo Creek Country Club Estates Phase 10 and Phase 11.

MOTION: EXTEND THE REQUIRED COMPLETION DATE FOR ITEMS LISTED IN EXHIBIT A OF THE AUGUST 2009 AMENDMENT TO THE 2007 DEVELOPER AGREEMENT PERTAINING TO BUFFALO CREEK COUNTRY CLUB ESTATES PHASE 10 AND PHASE 11 TO NOVEMBER 15, 2009.

MOTION MADE: LIECHTY
SECONDED: ZUREK
APPROVED: UNANIMOUS

Ratcliffe adjourned the stated meeting at 8:09 p.m.

APPROVED:



JOHN RATCLIFFE
MAYOR

ATTEST:



STEPHANIE GALANIDES
CITY SECRETARY

