MINUTES
APRIL 9, 2013
HEATH CITY COUNCIL
200 LAURENCE DRIVE - HEATH, TEXAS
WORK SESSION - REGULAR MEETING - EXECUTIVE SESSION

ATTENDING: LORNE LIECHTY, MAYOR
BARRY BROOKS, MAYOR PRO TEM
BRIAN BERRY
ROBERT HILLE
JUSTIN HOLLAND
RICHARD KRAUSE
JULIE ZUREK

Mayor Liechty called the regular meeting to order and delivered the invocation at 6:33 p.m.

PROCLAMATION – Designating April 21-27, 2013 as National Volunteer Week.

The Mayor read aloud a proclamation designating April 21 through April 27, 2013 as National Volunteer Week. Staff reported that the City of Heath had been approved to be a certifying organization for the President's Volunteer Service Award that is given to individuals, families and groups for outstanding volunteer service and civic participation.

Discussion and Action Regarding the Minutes of March 26, 2013.

Krause suggested that the minutes be revised on page 2 to specify that Joe Chamberlain is a member of the Planning and Zoning Commission.

MOTION: APPROVE THE MINUTES OF MARCH 26, 2013 AS AMENDED.
MOTION MADE: KRAUSE
SECONDED: HILLE
APPROVED: UNANIMOUS

Discussion and Action Regarding a Resolution Authorizing the Execution of a Revised Escrow Agreement Pertaining to the Expenditure of Funds Related to the Creation of a Public Improvement District for the Heath Golf & Yacht Club Development.

The Mayor stated that subsequent to review of the escrow agreement pertaining to the expenditure of funds related to the creation of a public improvement district (PID) for the Heath Golf & Yacht Club (HG&YC) development that was approved by Council on January 3, 2013, American Escrow Company required that certain standard exculpatory language be added as an addendum. City Attorney Andy Messer reviewed the provisions of the addendum and other changes to the proposed escrow agreement that, among other things, broadened the scope and provided for dispute resolution. There was discussion regarding expenses related to the creation of a municipal management district for the HG&YC development and regarding procedures for the due diligence process related to the proposed PID. Krause expressed opposition to moving forward until all expenses incurred to date related to the proposed development are recouped.

MOTION: APPROVE RESOLUTION 130409 AUTHORIZING THE EXECUTION OF A REVISED ESCROW AGREEMENT PERTAINING TO THE EXPENDITURE OF FUNDS RELATED TO THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT FOR THE HEATH GOLF & YACHT CLUB DEVELOPMENT.

MOTION MADE:		BERRY
SECONDED:		BROOKS
APPROVED:	FOR:	BERRY, BROOKS, HILLE, LIECHTY, ZUREK
	OPPOSED:	KRAUSE

Joan Ream, 11 Pintail Point, expressed concerns regarding risks, disclosure and transparency.

Presentation Regarding Dedication of Land for Park – DW Bobst.

DW Bobst, 916 Bridle Path Court, presented a request for dedication of 3-4 acres of City-owned land within the City of Heath and Heath Municipal Benefits Corporation addition for construction of a playground and picnic area funded by donations from the community in memory of 3-year old Samantha Knostman who recently passed away. Bobst stated that fund-raising had commenced and that he anticipated additional donations would be forthcoming should the land officially be dedicated for park purposes. Bobst stated his opinion that the Heath community needed amenities such as picnic area, pavilions and places to congregate and offered suggestions regarding potential features of and uses for such an area within the city-owned property adjacent to Rockwall-Heath High School.

There was discussion regarding background of the subject property and possible involvement of other entities that own and/or manage athletic facilities. The consensus of the Council was to refer Bobst's request to the Park Board for review and recommendation.

EXECUTIVE SESSION.

Mayor Liechty recessed the regular meeting to go into executive session as allowed by the Texas Open Meetings Act, Government Code: Section 551.071(2) on a matter in which the duty of the City Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflicts with the Open Meetings Act at 7:39 p.m. Liechty reconvened the regular meeting at 7:48 p.m. and stated that no action was taken in executive session. There was no additional discussion or action taken regarding items discussed in executive session.

Mayor Liechty adjourned the stated meeting at 7:48 p.m.

APPROVED:

LORNE O. LIECHTY
MAYOR

ATTEST:

STEPHANIE GALANIDES
CITY SECRETARY

CITY OF HEATH 19 59 STATE OF TEXAS