

LAKWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

APRIL 9, 2009

Council Members:

Mike Schnittker, Mayor
Mark Vargus
Ken Guthrie
Harold Wood
Carolyn Coleman
Dave Getka

Town Staff:

Linda Asbell, Town Secretary

REGULAR SESSION - 7:00 P.M.

With a quorum of the Council Members present, Mayor Schnittker called the Town Council to order at 7:12 p.m. on Thursday, April 9, 2009, in the Council Chambers of the Lakewood Village Town Hall, 100 Highridge Drive, Lakewood Village, Texas.

PLEDGE TO THE FLAG

(Agenda Item A)

Mayor Schnittker

VISITOR/CITIZENS FORUM:

(Agenda Item B)

No person requested to speak

REGULAR AGENDA:

(Agenda Item C)

**Presentation and Discussion of the 2009
Comprehensive Plan**

(Agenda Item C.1)

Mayor Schnittker introduced Eddie Haas with Freese and Nichols. Mr. Haas briefly reviewed his qualifications. Mr. Haas presented the Comprehensive Plan to Council. There was some discussion on the possible population projections based on undeveloped and platted, but vacant lots. There was some discussion on non-residential parking and the ability to make right-turns off Eldorado Parkway to enter the Town. Mr. Haas stated that with good traffic planning the curb-cuts will be limited along Eldorado, and site design criteria will limit the ability of people to

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cut through the parking areas to gain short-cut access to the residential area. Councilman Guthrie asked Mr. Haas about sidewalk implementation. Mr. Haas stated that in their experience sidewalks are necessary, however, they become less necessary in areas with larger lots. The sidewalks are put in by developers, however, if the sidewalks are installed after development the Town will have to pay for them.

PUBLIC HEARING: (Agenda Item D)

A public hearing was held to provide an opportunity for citizen comment on the proposed comprehensive plan.

Mayor Schnittker opened the Public Hearing at 8:05 p.m.

Mary Herrera, expressed concern about rushing the plan. Mayor Schnittker explained the process. Mr. Haas stated that the plan will adopt the land use plan which will set the standards within the plan. Mrs. Herrera expressed concerns about her property being split between two uses and the requirement of a thoroughfare through the middle of her property. Mrs. Herrera stated that she was concerned about the number of accesses to her property via curb-cuts every 200 feet. Mayor Schnittker stated that issue had been addressed and Mr. Haas was going to revise that requirement. Mrs. Herrera expressed her opposition of this plan because it requires a road through the middle of her property and divides her property into two different uses. Mayor Schnittker explained that Mrs. Herrera's property is unplatted and undeveloped and the Town has to plan for the eventuality that the property will not remain unplatted and undeveloped and that plan has to be made without regard for property lines. Mrs. Herrera stated she does not intend to sell her property and will never put a road through her property.

There was some discussion between Mr. Haas and the audience about the development process and how the requirements of the Comprehensive Plan are triggered and how the plans are used.

Eric Hancock, Frisco, TX, stated that he would prefer the planners meet with the individual property owners in order to facilitate working together for a resolution.

Councilman Getka stated that this is not something new and the 1994 version had a more negative impact on the individual property owners. Councilman Getka stated this is a "plan" and it can be changed every month if necessary.

MOTION: Upon a motion made by Councilman Guthrie and seconded by Councilman Wood, the Council voted five (5) "ayes" and no (0) "nays" to close the public hearing at 8:35p.m. The Motion Carried

REGULAR AGENDA (continued): (Agenda Item C)

Consideration of 2009 Comprehensive Plan (Agenda Item C.2)

Mayor Schnittker stated that he does not support adopting this plan tonight. Mayor Schnittker would like to make sure the changes discussed and corrections recommended are made prior to passage of the plan.

Mr. Haas listed action items: check on acreage on vacant land, population numbers, look at comments from workshop to summarize and possibly put them in the appendix, evaluate the number of curb-cuts along Eldorado to minimize the number, look at the site design to limit cut-through to the residential, check the right-a-way for Eldorado, check on the sidewalk requirements. From public hearing: look at access from Eldorado, check on the location of the east/west roadway, check on the corner parcel at the entrance that is shown to remain residential. Mayor Schnittker stated there are some highly desirable hotels that might work well and should be considered.

Mayor Schnittker reported to Council that Freese and Nichols has submitted a Water/Wastewater Master Plan proposal.

Mayor Schnittker stated that without a plan the Town runs the risk of the individual property owners developing their properties with very different standards. The Comprehensive Plan allows for the Town to require continuity. Mr. Sefko stated The Comprehensive Plan sets a vision for the Town which sets a standard and provides guidelines on how that vision should be implemented.

Mr. Haas explained that everyone has “equal protection” and this is the only way for a Town to express their expectations for community standards and have a legal ability to require it.

MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Guthrie, the Council voted five (5) “ayes” and no (0) “nays” to table consideration of the Comprehensive Plan to the May Council Meeting. The Motion Carried

**Discussion on amendment to Building
Ordinance 06-05A**

(Agenda Item C.3)

Councilman Getka stated that he does not intend to have this voted on tonight, but he wants to open the topic for discussion. Councilman Getka stated that he wants to give “teeth” to the ordinance to make it more enforceable. There was some discussion on some of the proposed changes. Mayor Pro-Tem Vargus expressed concern with the use of fines, he would prefer to red-tag properties. There was some discussion proposed requirements for trash containment and defining a threshold for causing a stop-work order to be placed. There was discussion on the proposed requirement for the use of a silt fence. Councilman Getka stated that he would rework the wording and present it at the next Council Meeting.

Consideration of depository agreement and authorization to issue a request for proposal for banking services.

(Agenda Item C.4)

Mayor Pro-Tem Vargus stated a depository agreement is required and we currently do not have an agreement with Independent Bank. Mayor Pro-Tem Vargus reviewed several of the services that could be covered in a depository agreement. There was some discussion on the banking services received from Independent Bank.

Councilman Guthrie asked if the Council can review the RFP before it is issued. Mayor Pro-Tem Vargus reviewed some of the requirements that would be included in the RFP

MOTION: Upon a motion made by Mayor Pro-Tem Vargus and seconded by Councilman Wood, the Council voted five (5) “ayes” and no (0) “nays” to authorize City Secretary, Linda Asbell to send out a Request for Proposal for banking services. The Motion Carried

Discussion on Traffic Light at Lakecrest and Eldorado:

(Agenda Item C.5)

Councilman Wood asked Mr. Hancock where he heard there would be a light at the intersection of Lakecrest and Eldorado. Mr. Hancock stated he heard that in a meeting he attended with Mayor Pro-Tem Vargus, and City Secretary Linda Asbell. Councilman Wood stated that the Town needs to have a light at the entrance. There was some discussion on the cost of a traffic light and the process for obtaining one from the County. City Secretary Linda Asbell reported that she requested a traffic study from Commissioner White’s office. Councilman Wood asked if we can request one from the new commissioner. There was some discussion on obtaining a warrant.

Consideration of minutes of the March 12, 2009 Council Meeting

(Agenda Item C.6)

MOTION: Upon a motion made by Councilman Guthrie and seconded by Councilman Getka, the Council voted five (5) “ayes” and no (0) “nays” to approve the minutes as presented. The Motion Carried

REPORTS:

(Agenda Item E)

E.7. Financial Report: Mayor Pro-Tem Vargus briefly reviewed the financial reports. There was some discussion on the cost of street lights.

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E.8. Playground/Park Status: Mayor Schnittker reported the playground at Town Hall has been completed. Council Members stated the playground looks good and they noticed some of the Town children already enjoying it.

ADJOURNMENT

(Agenda Item F)

MOTION: Upon a motion made by Councilwoman Coleman and seconded by Councilman Wood the Council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lakewood Village Town Council at 9:40 on Thursday, April 9, 2009. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 11th day of June, 2009.

APPROVED

Mike Schnittker
MAYOR

ATTEST:

Linda Asbell
CITY SECRETARY