

LAKWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

MAY 19, 2009

Council Members:

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

Town Staff:

Linda Asbell, Town Secretary

SPECIAL SESSION - 7:00 P.M.

With a quorum of the Council Members present, Mayor Schnittker called the Town Council to order at 7:01 p.m. on Tuesday, May 19, 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

PARK DEDICATION

(Agenda Item B)

Mayor Schnittker presented Mrs. Lillian Witt and her family with a proclamation recognizing Mrs. Witt's donation of land to the Town of Lakewood Village and expressing the Town's appreciation. Mayor Schnittker displayed the bronze dedication plaque for Witt Park.

VISITOR/CITIZENS FORUM:

(Agenda Item C)

No person requested to speak

REGULAR AGENDA:

(Agenda Item D)

**Consideration of Provisions for Solid Waste
Collection Contract Requirements**

(Agenda Item D.1)

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Mayor Pro-Tem Vargus explained that Council needs to determine what services they want to include in the request for proposal. Brenda Lalonde, from Allied Waste stated the companies submitting proposals would need approximately 3 weeks to respond to the request. Mr. Robert Medigovich stated if a new company is selected the new company would need at least 30 days to set up for a take over date of December 1st. Mrs. Lalonde stated that normally a “Question and Answer” meeting is set up approximately 2 weeks after the request is sent out and the proposal due date is approximately 2 weeks following the meeting. Deputy Town Attorney Ben Wyse reviewed the bid process in general.

Mayor Pro-Tem Schnittker asked Council to determine the parameters for services to be requested in the request for proposal and he would create the document. Councilman Guthrie stated the only enhancement to services he can think of is to offer monthly bulk pick-up, but he is satisfied with the services provided as they stand. There was some discussion on recycling. Mr. Medigovich stated that the Town could outline different schedule and service options in the request. Mrs. Lalonde stated that normally there is a base bid and an alternate 1 and an alternate 2, with the base bid being the most likely service requested.

Mayor Pro-Tem confirmed with both representatives that franchise fees would be included in the contract, Mrs. Lalonde stated the franchise fee would be requested in the RFP. There was some discussion on the method of receiving payment for the franchise fees.

Mayor Schnittker reviewed the current services being received from Allied Waste. Councilman Getka requested additional services be included i.e.: roll-offs for construction sites and bulk pickup for vacant lots. There was some discussion on inclusion of future commercial waste services to be included in the RFP. Mr. Medigovich stated that commercial accounts normally subsidize residential services. There was some discussion on including a clause to enable a renegotiation in the event of commercial starting up.

Councilman Getka asked Mrs. Lalonde for an estimate of a 20 yard roll-off. Mrs. Lalonde responded the normally a 30 yard is used, however, a 20 yard would begin at approximately \$400 and would go up depending on what materials were being disposed.

There was some discussion on the eventuality of annexation of Rocky Point and the impact on waste services provided by the Town.

MOTION: Upon a motion made by Councilman Guthrie and seconded by Councilman Getka, the Council voted five (5) “ayes” and no (0) “nays” to issue a request for proposals for solid waste collection services based on the parameters discussed.
The Motion Carried

**Consideration of 2009 Comprehensive Plan
(Tabled from April 9, 2009 Council Meeting)**

(Agenda Item D.2)

Mr. Eddie Haas of Sefko Planning/Freese and Nichols, Inc. reviewed the Comprehensive Plan amended per the comments received at the April 9, 2009 meeting. Mayor Pro-Tem Vargus asked Mr. Haas to explain the recommendations included to make specific changes in the zoning ordinance and building ordinance.

Betty Lisk, 800 Carrie Lane, asked Mr. Haas how the comprehensive plan is made available to the general public. Mr. Haas stated that the comprehensive plan is currently on the website. Mrs. Lisk stated that she was unhappy that “upkeep of rental property” was included in the comments. Mrs. Lisk stated that now the Town has a park so that needs to be included in the comprehensive plan, also note that sales tax was recently passed. Mrs. Lisk recommended that the Town have a “Town Hall” sign.

Mary Herrera, stated that she was concerned that the agenda items was up for consideration. Mrs. Herrera stated that not enough time has been spent considering this plan.

Eric Hancock, Frisco, TX, stated that based on input from the Town there was some support for retail at the entrance. Mr. Hancock asked about the entry feature shown in the plan. Mr. Haas explained that within the plan they included a “Welcome to Lakewood Village” for the community entrance. Mr. Hancock stated that he believes the entrance feature size should be detailed and limited within the comprehensive plan. Mr. Hancock expressed concerns with an open ended “entrance feature” which would intrude on his property. Mr. Hancock stated that he believes the highest and best use for his property is retail. Councilman Wood stated that he likes the entrance at Newman Village. Mayor Schnittker stated the Town would prefer something of high quality similar to Newman Village and the Gates at Waters Edge to the scale of land that is available.

Mayor Schnittker stated that this comprehensive plan has been discussed at nearly every meeting for the last year and a half at least one citizen comments that they do not want the Town to pass the plan yet. Councilman Guthrie stated that he believes the comments from the public hearing sessions should not be changed because that is a documentation of what happened. Councilman Guthrie and Councilman Getka both stated that they believe Council should take action on this item tonight as it has been discussed extensively over the last year. There was some discussion on approving the plan

MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Wood, the Council voted five (5) “ayes” and no (0) “nays” to adopt the Comprehensive Plan as amended with corrections as noted. The Motion Carried

Consideration of Professional Services

Agreement with LandPlan

(Agenda Item D.3)

Mayor Schnittker reported that the Agreement was created in 2007 by Town Attorney Messer and presented to LandPlan at that time. A.L. Reed from LandPlan indicated that LandPlan would agree with the plan as presented. Mayor Schnittker indicated the he would like to have the agreement updated and reviewed by both Town Attorney Messer, Town Council, and representatives from LandPlan. Mayor Pro-Tem Schnittker stated that he would like to see the final document available at the next Council Meeting.

Councilman Getka requested a summary be provided that explains the agreement in lay-terms.

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

Consideration of Identity Theft Ordinance

(Agenda Item D.4)

Mayor Pro-Tem Vargus explained the identity theft policy is mandated by the Federal Trade Commission. The Federal Government categorizes municipalities that provide services and are paid following the provision of the service as creditors and as such are required to pass this ordinance.

MOTION: Upon a motion made by Mayor Pro-Tem Vargus and seconded by Councilman Guthrie, the Council voted five (5) “ayes” and no (0) “nays” to approve the Identity Theft Ordinance. The Motion Carried

**Consideration of Ordinance Regulating Signs
in the Town and Extraterritorial Jurisdiction**

(Agenda Item D.5)

Mayor Schnittker explained that with the impending opening of the bridge the Town has been contacted a number of times recently by people requesting information on the sign policy. The Town currently does not have a sign ordinance. Councilman Guthrie expressed concern with the complexity of the ordinance. Mayor Pro-Tem Vargus provided several examples of undesirable signs that could be put if the Town does not have a sign ordinance.

Mayor Schnittker requested that council pass this ordinance now and if changes need to be made those changes could be made at a future meeting. Councilman Guthrie stated that he would be uncomfortable voting on an ordinance that seems to be contradictory in areas. Councilman Getka stated that he likes the comprehensive nature of the ordinance and the protection it provides to the Town.

There was some discussion about the sign regulations of neighboring cities.

MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Wood , the Council voted four (4) “ayes” and one (1) “nays” (Councilman Guthrie) to approve the Ordinance Regulating Signs in the Town and Extraterritorial Jurisdiction. The Motion Carried

**Consideration of Award of Banking Proposal
Submissions**

(Agenda Item D.6)

Mayor Pro-Tem Vargus stated that he has not had time to review the proposals and requested the item be tabled.

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 table consideration of the banking proposals to the June meeting. The Motion Carried

**Consideration of Budget Amendment for
Town Hall Carpet and Desk**

(Agenda Item D.7)

Mayor Schnittker reported that the new conference table was purchased by City Secretary Linda Asbell for \$375. Mayor Schnittker reviewed the expenditures to date. Councilman Wood stated that he does not believe padding under the carpeting is necessary. Councilman Wood stated he does not want expensive carpet, he would rather see the outside of Town Hall repaired. There was some discussion on the pricing quotes received for the carpet. Councilman Guthrie stated he would like to see the bids before he approves the purchase of the carpet. There was some discussion about allocating the funds to provide for carpeting. Mayor Schnittker stated he would like to see some of the unused funds in the street repair line-item be reallocated to be used for Town Hall improvements and street sign replacement. Councilman Getka stated he would like to see a drop-down, motorized, projector screen for presentations. There was some discussion about possible future projects for Town Hall.

Councilman Guthrie stated he would get an estimate from Stone Mountain and work with Councilwoman Coleman on the carpet purchase. Councilman Wood recommended \$8,000 to provide for carpet, landscaping, and repairs to the outside of Town Hall. Mayor Schnittker stated he would like to have a Council Workshop to discuss those sorts of things.

MOTION: Upon a motion made by Mayor Pro-Tem Vargus and seconded by Councilman Guthrie, the Council voted five (5) “ayes” and no (0) “nays” to move \$10,000 from the street repairs line item into a line item designated Town Hall Improvements. The Motion Carried

Mayor Schnittker introduced Zeek Flores, the Branch Manager from Point Bank. Mr. Flores said he would be the point of contact and he would take care of any of the Town's needs.

**Consideration of Designation of June as
"Lakewood Village Beautification Month"**

(Agenda Item D.8)

Councilman Getka stated he would like to build community pride and promote additional awareness for beautification. Councilman Getka reviewed suggestions for the program. Mayor Schnittker stated the beautification could be scheduled to coincide with the bulk pick-up. There was some discussion on scheduling of bulk pick-up in the future. There was discussion on how the June Beautification would be implemented.

MOTION: No Motion Was Made

**Consideration of Amendment of Building
Ordinance**

(Agenda Item D.9)

Councilman Getka reviewed the streamlined and modified proposed changes.

MOTION: Upon a motion made by Councilman Wood and seconded by Mayor Pro-Tem Vargus, the Council voted five (5) "ayes" and no (0) "nays" to approved the proposed changes to the Building Ordinance. The Motion Carried

REPORTS:

(Agenda Item E)

E.10. Financial Report: Mayor Pro-Tem Vargus briefly reviewed the financial reports.

E.11. Update on Rocky Point Water System: Mayor Schnittker reported that the State has received the Town's application and we are in the waiting period for review of the application.

E.12. Update on Lake Lewisville Toll Bridge Run: Councilwoman Coleman reported that August 1st is the date of the run. The bridge will open "after" the run but no date has been given. Mayor Schnittker recommended that Lakewood Village volunteer to distribute water at the water station on this side of the bridge. City Secretary, Linda Asbell, will contact the volunteer coordinator on May 20th to inquire about the Town working the water station.

ADJOURNMENT

(Agenda Item F)

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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 9:17 on Tuesday, May 19, 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