

LAKWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

DECEMBER 8, 2009

Council Members:

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

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 7:07 p.m. on Tuesday, December 8, 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

CONSENT AGENDA:

(Agenda Item C)

1. Minutes of September 24, 2009 Council Meeting
2. Minutes of November 12, 2009 Council Meeting

MOTION: Upon a motion made by Councilwoman Coleman and seconded by Councilman Guthrie, the Council voted four (4) "ayes" and no (0) "nays" to approve the items on the consent agenda. The motion carried.

REGULAR AGENDA:

(Agenda Item D)

At this time Council considered Item D.4

**Presentation of Audit Findings, presented by
Wayne Nabors of Pingleton, & Company**

(Agenda Item D.3)

This item will be presented to Council at the January 14, 2010 Council Meeting

**Consideration of Fence Height Variance
Request for 695 Melody Lane**

(Agenda Item D.4)

Mayor Schnittker reviewed the background of this request. Mr. Chavez's representative, Manuel, explained how the pitch of the ground affected the height of the fence. There was some discussion on the ordinance and the height requirements.

MOTION: Upon a motion made by Mayor Pro-Tem Vargus and seconded by Councilman Guthrie, the Council voted four (4) "ayes" and no (0) "nays" to approve the variance requested allowing the fence height as currently built. The motion carried.

At this time Council considered Item D.6

**Consideration of Award of the Solid Waste
Contract**

(Agenda Item D.5)

There was some discussion on the term of the contract.

MOTION: Upon a motion made by Mayor Pro-Tem Vargus and seconded by Councilman Wood, the Council voted four (4) "ayes" and no (0) "nays" to approve the contract for solid waste services with Allied Waste. The motion carried.

At this time Council considered Item D.9.

**Discussion of Peddler and Itinerant Vendor
Ordinance**

(Agenda Item D.6)

Mayor Schnittker reported that this ordinance was not ready for consideration and would be presented to Council at a future meeting.

**Consideration of Establishment of Municipal
Development District**

(Agenda Item D.7)

Assistant Town Attorney Ben Wyse explained the process of appointing the directors of the board and determine and approve the bylaws for the Municipal Development district. Attorney Wyse explained that the MDD is legally recognized by Council via the Resolution. There was

**LAKWOOD VILLAGE TOWN COUNCIL
REGULAR SESSION
DECEMBER 8, 2009**

Page 3

some discussion on the candidates to be appointed to the board. Mayor Pro-Tem Vargus reported that Texas Municipal League will provide additional liability coverage for the members of the board which will cost the Town approximately \$100 per year. Page two of the resolution is amended to name Mike Schnittker, Mark Vargus, Ken Guthrie, and Harold Wood as initial directors.

MOTION: Upon a motion made by Councilwoman Coleman and seconded by Councilman Wood, the Council voted four (4) “ayes” and no (0) “nays” to approve the resolution appointing a board of directors and adopting bylaws of the Municipal Development District. The Motion Carried

**Consideration of Establishment of Economic
Development Corporation and related
Ordinance, and other related documents**

(Agenda Item D.8)

Eric Hancock, 10701 Alexandria, Frisco, TX; requested that Council strongly consider putting as many property owners from the 200 acres outside the Town on the EDC and MDD boards. Mr. Hancock reviewed the breakdown of the owner groups. Mr. Hancock reported that the property owners from that area want to work with the Town in the development.

Assistant Town Attorney Ben Wyse reviewed the two ordinances that are required for the establishment of the Economic Development Corporation. There was some discussion about the membership qualifications for the board of directors.

MOTION: Upon a motion made by Mayor Pro-Tem Vargus and seconded by Councilman Guthrie, the Council voted four (4) “ayes” and no (0) “nays” to approve the ordinance authorizing the creation of the Economic Development Corporation. The Motion Carried

Councilman Guthrie requested the people interested in serving on the board complete an application to be submitted and reviewed by Council prior to appointment.

MOTION: Upon a motion made by Councilman Guthrie and seconded by Councilman Wood, the Council voted four (4) “ayes” and no (0) “nays” to table the consideration of the ordinance incorporating the Economic Development Corporation. The Motion Carried

At this time Council considered Item D.5.

**Consideration of Ordinance Amending the
Fiscal Year 2009-2010 Budget**

(Agenda Item D.9)

Mayor Schnittker reviewed the proposed changes, there was some discussion.

MOTION: Upon a motion made by Councilwoman Coleman and seconded by Councilman Guthrie the Council voted four (4) “ayes” and no (0) “nays” to approve the ordinance amending the fiscal year 2009-2010 budget. The motion carried.

**Consideration of Project for Energy
Efficiency and Community Block Grant**

(Agenda Item D.10)

Mayor Pro-Tem Vargus reported on the results of meetings with Texas Energy Contractors & Engineers on replacing all 8 pumps in the lift stations and upgrading all lift stations. An additional project for grant funding would be to install an oxygen sensor in the tank at the sewer treatment plant at an estimated savings of \$4,000 per year in electricity. There was some discussion on the scope of the project and the timeline for the grant application.

**Consideration of Ordinance setting
Franchise Fee for Solid Waste Collection**

(Agenda Item D.11)

Mayor Pro-Tem Vargus reviewed the justification for a franchise fee. There was some discussion on the need for establishing a franchise fee. There was some discussion about considering this ordinance at a future date.

MOTION: No motion was made.

At this time Council considered Item E.

**Discussion on Extension of Building
Ordinance to include Extra Territorial
Jurisdiction**

(Agenda Item D.12)

Mayor Schnittker stated that it is the intention of the Council to extend the building ordinance into the extra territorial jurisdiction.

MOTION: No Motion was made.

At this time Council considered Item G

**LAKWOOD VILLAGE TOWN COUNCIL
REGULAR SESSION
DECEMBER 8, 2009**

Page 5

EXECUTIVE SESSION:

(Agenda Item E)

In Accordance with Texas Government Code § 551.072 - Deliberation about acquisition of real property, and Texas Government Code § 551.071 - Consultation with Attorney regarding extension building ordinance into the Extra Territorial Jurisdiction, Mayor Schnittker adjourned the regular session of the meeting at 8:26 p.m. to enter into executive session.

RECONVENE:

(Agenda Item F)

Mayor Schnittker reconvened and called the regular session to order at 8:52 p.m. No motion was made to consider action on items discussed in Executive Session.

At this time Council considered Item D.12.

ADJOURNMENT

(Agenda Item G)

MOTION: Upon a motion made by Mayor Pro-Tem Vargus and seconded by Councilwoman Coleman the Council voted four (4) "ayes" and no (0) "nays" to adjourn the Regular Session of the Lakewood Village Town Council at 8:54 on Tuesday, December 8, 2009. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 14th day of January, 2010.

APPROVED

Mike Schnittker
MAYOR

ATTEST:

Linda Asbell
CITY SECRETARY