

**LAKWOOD VILLAGE TOWN COUNCIL**

**COUNCIL MEETING**

**JUNE 11, 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 7:00 p.m. on Thursday, June 11, 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 the April 9, 2009 Council Meeting
2. Minutes of the May 14, 2009 Council Meeting
3. Minutes of the May 19, 2009 Council Meeting

**MOTION:** Upon a motion made by Councilwoman Coleman and seconded by Councilman Guthrie, the Council voted five (5) "ayes" and no (0) "nays" to approve the items on the consent agenda as corrected. The Motion Carried

Councilman Getka requested minutes appear on the agenda immediately following the meeting in which they were taken.

**REGULAR AGENDA:**

**(Agenda Item D)**

**Consideration of Award of Depository Agreement**

**(Agenda Item D.4)**

Mayor Pro-Tem Vargus explained the requirement for the Town to have a Depository Agreement. Mayor Pro-Tem Vargus reviewed the key differences between the two depository proposals received. Mayor Schnittker explained the pledged securities portion of the depository requirement.

Zeke Flores, Branch Manager of Point Bank, reported that the current \$250,000 FDIC insured limit will remain in place through 2011.

There was some discussion on the benefits of each of the proposals.

Mr. Flores reported that Point Bank holds \$294 million in assets and has 9 locations in the County.

There was some discussion on the details of the depository agreement.

**MOTION:** Upon a motion made by Councilman Getka and seconded by Councilman Guthrie, the Council voted five (5) "ayes" and no (0) "nays" to accept the proposal from Point bank and authorize Mayor Schnittker to enter into a depository agreement with Point Bank to transfer our banking services from Independent Bank to Point Bank. The Motion Carried

**Consideration of Refinance of Utility Loan**

**(Agenda Item D.5)**

Mayor Schnittker reported that Point Bank has quoted a 4.2% interest rate to take on the utility loan. The Town can pay off the loan now and save approximately \$8,000 in interest over the next three years. Mayor Pro-Tem Vargus explained that June through September are the largest water billing months in the year and funds are expected to be quickly replenished. Mayor Pro-Tem Vargus reported that the loan committee at Point Bank has pre-approved the Town for a loan at 4.2%. The Town expects to bill approximately \$24,000 per month in water bills during the summer months, and bills approximately \$18,000 during the winter months.

Councilman Guthrie asked if any major expenses were expected in the next six to nine months that should be considered prior to making this payoff. Mayor Schnittker reported that nothing is expected. Councilman Getka requested a work session be scheduled to allow the Council time to establish a five-year financial plan and other key projects that need to be addressed. Mayor Schnittker reported that a work session has been planned, however, as of yet a date has not been finalized. Councilman Guthrie stated he would feel more comfortable with making a payment to

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principal of approximately \$20,000 over each of the next four months. That would enable the Town to pay off the loan by October 1<sup>st</sup> assuming Independent Bank does not require immediate pay off when the accounts are closed. Councilman Guthrie stated that with the economy fluctuating, another change in the economy might change the bank's willingness to provide a loan to the Town. There was some discussion on the pros and cons of extending the pay off.

**MOTION:** A motion was made by Councilman Guthrie to table this item until the agenda item can be reposted to include a budget amendment. The motion dies for lack of second.

There was some discussion on the procedure to follow for amending the budget to provide funding to make the payment. Councilman Getka stated that the Council was elected to do the best they can for the Town and waiting for another month to make changes to the budget will not make any difference to the resident. Councilwoman Coleman stated she would like to word the motion to enable action to be taken at this Council Meeting. Councilman Wood stated that he supports taking action tonight as long as the motion makes the funding available prior to authorizing the pay off of the loan. Councilman Guthrie stated he would be comfortable making the motion at this meeting to authorize action if the Town Attorney approves the procedure. Mayor Schnittker stated that wording of the motion does not satisfy Councilman Guthrie's stated concern regarding the budget amendment being listed on the agenda. There was some discussion on the urgency of taking action to avoid paying additional interest on the loan. Councilman Guthrie stated that he is comfortable with taking action tonight because the funding is available in the total budget and in a following meeting a budget amendment can be made.

**MOTION:** Upon a motion made by Mayor Pro-Tem and seconded by Councilman Wood, the Council voted five (5) "ayes" and no (0) "nays" to authorize Mayor Schnittker to spend \$89,361.69 to pay off the utility loan. The Motion Carried

**Discussion of Professional Services  
Agreement with LandPlan**

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**(Agenda Item D.6)**

Mayor Schnittker reported that Town Attorney Messer has reviewed the agreement and provided this updated version. Mayor Schnittker requested Council review the agreement and provide comments and suggestions. There was some discussion on the benefits and requirements of a Professional Services Agreement.

**Discussion on Economic Development  
Corporation and Municipal Development  
District Boards**

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**(Agenda Item D.7)**

Mayor Schnittker explained the requirements for membership on the boards. Mayor Pro-Tem Vargus explained that the Council appoints the members of the boards. The EDC has seven

members and at least three of those members cannot be on the Town Council. Mayor Pro-Tem Vargus stated bylaws and articles of incorporation will need to be created. There was some discussion on the ability of Council Members to serve on the EDC and MDD boards. Mayor Pro-Tem Vargus stated the MDD Board has at least four members and all four can be from the Town Council. Mayor Pro-Tem Vargus reported that Mr. Joe Garron, who lives in the ETJ, has expressed interest in serving on the MDD Board.

**Consideration of Amendment of Building Ordinance**

**(Agenda Item D.8)**

Mayor Schnittker reported that only Section 12, Item I is new. Item I requires that all inspections to be conducted during daylight hours. Mayor Schnittker also reported that the builder for the house under construction at 802 Stowe has quit and the homeowner has stated he will be acting as his own General Contractor. Mayor Schnittker reported that Inspector Greg Mitchell stated that if he is not the exclusive inspector in Lakewood Village he does not want to perform inspections in Town. Mayor Schnittker stated that he discussed Mr. Mitchell's position with Mitchell Planning and they have "softened" their stance, however, there may be a time in the future when Mitchell Planning will demand to provide exclusive inspection services.

**MOTION:** Upon a motion made by Councilman Getka and seconded by Councilwoman Coleman, the Council voted five (5) "ayes" and no (0) "nays" to approve the amendment to the Building Ordinance requiring inspections to be made during daylight hours. The Motion Carried

**Consideration of Ordinance for Town Hall Rental Regulations**

**(Agenda Item D.9)**

Mayor Schnittker reported that Town Hall was rented recently by someone with a past-due water bill. Mayor Schnittker stated he would like to amend the ordinance to require the rentee to be current on their water and tax bills. Mayor Schnittker stated that he believes this can be addressed via an internal policy and will not require an ordinance amendment.

**MOTION:** No Motion Was Made

**Consideration of Resolution Making a Nomination to the Denco Area 9-1-1 District Board of Managers**

**(Agenda Item D.10)**

**MOTION:** Upon a motion made by Mayor Pro-Tem Vargus and seconded by Councilman Getka, the Council voted five (5) "ayes" and no (0) "nays" to approve a resolution nominating Ms. Olive Stephens to the Denco Area 9-1-1 District Board of Managers. The Motion Carried

**REPORTS:**

**(Agenda Item E)**

E.11. Financial Report: Mayor Pro-Tem Vargus briefly reviewed the financial status. Mayor Pro-Tem Vargus stated that between May of 2007 and May of 2009 legal fees have been substantially reduced, also the previous administration made a lot of repairs and as a result the current administration has not had to make many repairs. Mayor Pro-Tem Vargus reported that the Town scrutinizes all expenses. Mayor Schnittker reported that the Denton Tax Office has removed the minimum fee requirement for tax collection; the expenses within administration have been drastically reduced. Mayor Schnittker reported that the legal fees incurred in obtaining the park can be rolled in to the value of the land.

E.12. Update on Lake Lewisville Toll Bridge Run: City Secretary, Linda Asbell, reviewed Dallas Corinthian Yacht Club's planned events with an open house from 12-3pm on August 1<sup>st</sup> and a catered VIP party the evening of the 1<sup>st</sup>. Secretary Asbell reviewed the prohibition on access to the bridge from the Lakewood Village side, and reviewed the requirement for volunteers to register and sign a liability waiver.

Councilman Wood inquired on the status of the carpet. Councilman Guthrie reported that Stone Mountain is contacting the manufacturer of the carpeting to obtain the specifications of the carpet in order to provide a proposal on a similar carpet. Councilman Guthrie reported that Stone Mountain expressed concerns about using berber carpeting for wear and durability. Councilman Guthrie stated he expected to have the information by Monday and provide that information to Councilwoman Coleman to make a determination.

**ADJOURNMENT**

**(Agenda Item F)**

**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 adjourn the Regular Session of the Lakewood Village Town Council at 8:50 on Thursday, June 11, 2009. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 9th day of July, 2009.

APPROVED

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Mike Schnittker  
MAYOR

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ATTEST:

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Linda Asbell  
CITY SECRETARY