

LAKWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

NOVEMBER 12, 2009

Council Members:

Mike Schnittker, Mayor
Mark Vargus, Mayor Pro-Tem - Absent
Ken Guthrie
Harold Wood
Carolyn Coleman
Dave Getka

Town Staff:

Linda Asbell, Town Secretary
Ben Wyse, Assistant Town Attorney

REGULAR SESSION - 7:00 P.M.

With a quorum of the Council Members present, Mayor Schnittker called the Town Council to order at 7:03 p.m. on Thursday, November 12, 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 D)

1. Minutes of September 24, 2009 Council Meeting
2. Minutes of October 6, 2009 Council Meeting

The minutes of the September 24th Council Meeting were withdrawn by City Secretary, Linda Asbell, to be considered at the December Council Meeting.

MOTION: Upon a motion made by Councilman Guthrie and seconded by Councilman Wood, the Council voted four (4) "ayes" and no (0) "nays" to approve the October 6, 2009 minutes. The motion carried.

REGULAR AGENDA:

(Agenda Item D)

**Consideration of Amending Plat for Lot 11-
A, Block A, Lakeview Estates**

(Agenda Item D.3)

Gerald Yensan, surveyor, explained that he determined there was a previously unnoticed utility easement. This easement was discovered after forms were already laid for the foundation of the home to be built on this property. He is requesting an amendment to the plat to reduce the 25 foot utility easement to a 15 foot easement. This would allow continued progress on the construction of the home and provide for utility if an easement is needed in the future. Mayor Schnittker reported that Town Engineer, Jeff Payne, recommended the reduction of the easement to 15 feet as a reasonable compromise. There was some discussion about possible future development that might require use of that utility easement. A consensus was reached that 15 feet is an adequate size if the easement is needed.

MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Guthrie, the Council voted four (4) "ayes" and no (0) "nays" to approve plat amendment providing for reduction of the utility easement to 15 feet. The motion carried.

Mayor Schnittker reported that agenda item 12 would now be considered.

**Consideration of Amenities to be proposed
for the small parks grant**

(Agenda Item D.4)

City Secretary Linda Asbell summarized the history of the boating access grant and the small parks grant and the reason the boating access grant process was discontinued. There was some discussion of the designation of the water front at Witt Park being USACE "wildlife management" and that GrantWorks would assist in working with the USACE.

MOTION: No motion was made.

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

(Agenda Item D.5)

City Secretary Linda Asbell reported that Allied Waste is working on the contract and will have it ready for the December council meeting.

MOTION: No motion was made.

Discussion of Peddler and Itinerant Vendor Ordinance

(Agenda Item D.6)

Mayor Schnittker reported on a complaint he received regarding solicitors that were in town claiming to live on Stowe and collecting money for magazines. Council reviewed the ordinance and asked Assistant Town Attorney Ben Wyse to provide additional examples of ordinances and council will consider this ordinance again at a future date.

Consideration of Establishment of Municipal Development District

(Agenda Item D.7)

Mayor Schnittker stated for ease of understanding both agenda items D.7 and D.8 will be discussed at the same time.

Assistant Town Attorney Ben Wyse reported that a Municipal Development District is a political subdivision and the EDC is a non-profit corporation. Attorney Wyse reviewed the process involved in the creation of both the EDC and the MDD entities. Attorney Wyse reviewed the requirements for membership on each of the boards. Attorney Wyse reported that an ordinance creating the EDC would need to be approved at the next council meeting. Attorney Wyse reported on the Open Meetings Act which requires postings on possible quorums and joint meetings.

Consideration of Establishment of Economic Development Corporation

(Agenda Item D.8)

Discussed with agenda item D.7

Consideration of Golf Cart Ordinance

(Agenda Item D.9)

Councilman Getka reported that he removed all the penalties included in the previous version. Councilman Getka reported that most cities required a lone driver of a golf cart to be a licensed driver however, younger drivers would be permitted with an adult on the cart with them. There was some discussion on the speed limit and the age requirement. There was some discussion about designing a sticker to be issued by Town Hall upon registration. Council discussed removing the age requirement completely.

MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Wood, the Council voted four (4) "ayes" and no (0) "nays" to approve the ordinance authorizing the operation of golf carts within the Town of Lakewood Village as amended. The Motion Carried

**Consideration of Budget Amendment
Ordinance**

(Agenda Item D.10)

Mayor Schnittker reported that the County estimate for paving Stowe Lane and Stowe Court is \$93,000 which is \$33,000 over the budgeted amount. Mayor Schnittker suggested that because no road paving was performed last year the funding for this project be taken from the reserve. There was some discussion on future paving needs.

MOTION: Upon a motion made by Councilman Wood and seconded by Councilman Getka, the Council voted four (4) “ayes” and no (0) “nays” to table the budget amendment ordinance. The Motion Carried

**Discussion of undeveloped lots regarding
brush piles/downed trees/grass clipping piles**

(Agenda Item D.11)

Councilman Getka reported that there are unsightly brush/clipping piles accumulating on some of the undeveloped properties in Town. Councilman Wood reported on a problem with downed trees and piles on a lot next to his property. There was some discussion on requirements and enforcement of the current brush pile ordinance.

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

(Agenda Item D.12)

Discussed immediately following Agenda Item D.3.

Kathy Hernandez with Texas Energy Contractors & Engineers spoke regarding the energy saving grant funding and what their company can provide. Mr. Stuart Marshall from Longhorn Solar explained some of the deadline requirements for qualifying for the grant. Mr. Marshall reported that additional funding is available through SECO and Lone Star which will provide extremely low or no interest loans to supplement the grant. There was some discussion on the possible projects that would be eligible. Mr. Marshall with Longhorn distributed a sample proposal for solar system. A \$20,000 solar system will produce approximately \$30,000 over the next 25 years. There was some discussion about the location for a possible solar system. Mr. Marshall reported that the American Recovery and Reinvestment Act funding is only available for projects that comply with the “Buy American” act. Mayor Schnittker recommended that the town pursue an energy audit with Texas Energy Contractors & Engineers and request a proposal from Longhorn to possibly have a solar project installed at Town Hall.

MOTION: Upon a motion made by Councilwoman Coleman and seconded by Councilman Getka, the Council voted four (4) “ayes” and no (0) “nays” to approve the resolution for Energy Efficiency and Community Block Grant. The Motion Carried

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Council then returned to Agenda Item D.4

EXECUTIVE SESSION

(Agenda Item E)

In accordance with Texas Government Code § 551.072 - deliberation about acquisition of real property, Mayor Schnittker adjourned the regular session of at 8:40 p.m.

RECONVENE

(Agenda Item F)

Mayor Schnittker reconvened the regular session of the council meeting at 9:00 p.m. No further action was taken.

ADJOURNMENT

(Agenda Item G)

MOTION: Upon a motion made by Councilman Guthrie 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 9:01 on Thursday, November 12, 2009. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 8th day of December, 2009.

APPROVED

Mike Schnittker
MAYOR

ATTEST:

Linda Asbell
CITY SECRETARY