

**LAKWOOD VILLAGE TOWN COUNCIL**

**COUNCIL MEETING**

**SEPTEMBER 24, 2009**

**Council Members:**

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

**Town Staff:**

Linda Asbell, Town Secretary  
Andy Messer, 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 7:01 p.m. on Thursday, September 24, 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

**PROCLAMATION:**

**(Agenda Item B)**

Mayor Schnittker presented Christine Gee, representing the Preston Ridge Chapter of the Daughters of the American Revolution with a proclamation designating Constitution Week for 2009. Mrs. Gee read the American's Creed by William Tyler Page.

**EXECUTIVE SESSION:**

**(Agenda Item C)**

In accordance with Texas Government Code § 551.071, Consultation with City Attorney - P&M Service Company Water System (Rocky Point Water System) and Texas Government Code § 551.072 - deliberation about acquisition of real property Mayor Schnittker adjourned the regular session of the meeting at 7:05 to enter into executive session.

**RECONVENE:**

**(Agenda Item D)**

Mayor Schnittker reconvened and called the regular session to order at 7:31 p.m. No motion was made to consider action on items discussed in Executive Session.

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**PUBLIC HEARING:**

**(Agenda Item E)**

A public hearing was held on the proposed property tax rate of \$0.25/100 to provide an opportunity for citizen comment. The Town Council may adopt the tax rate with or without amendment by ordinance on one (1) reading.

Mayor Schnittker opened the public hearing at 7:31 p.m.

No person requested to speak

**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 close the public hearing at 7:32 p.m. The motion carried.

**VISITOR/CITIZENS FORUM:**

**(Agenda Item F)**

Steve Viscuso, 316 Hillside, spoke to Council regarding a gunshot he heard from the property across the street from his home. He stated that he wanted Council to be informed and asked for an assurance that the Town will pursuing prosecution of this case.

**REGULAR AGENDA:**

**(Agenda Item G)**

**Discussion on 2010 Census**

**(Agenda Item G.1)**

Brandon Ford with the U.S. Census Bureau spoke to Council about the process the 2010 census would take and provided assurances to Council and public that no information gathered during the census would be shared with any other agency or company.

**Consideration of Ordinance setting the Fiscal  
Year 2009-2010 Property Tax Rate**

**(Agenda Item G.2)**

**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 approve the ordinance setting the Fiscal Year 2009-2010 Property Tax Rate at \$0.25/100. The motion carried.

**Consideration of Ratification of Ordinance  
09-10 approving Fiscal Year 2009-2010  
Budget**

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**(Agenda Item G.3)**

**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 ratify ordinance 09-10 approving Fiscal Year 2009-2010 Budget. The motion carried.

**Discussion on Sunrise Bay Annexation**

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**(Agenda Item G.4)**

Mayor Schnittker reviewed the process for voluntary annexation by petition. There was some discussion following questions by various audience members about the mail delivery, Fire/EMS, road paving, and the election process if annexation were to take place. There was some discussion on clarification of the annexation and property taxation process. Mayor Schnittker explained that the Town of Lakewood Village would like to hear back from the residents of Sunrise Bay by the end of this year if they would like to become part of Lakewood Village. If the residents indicate they are not interested in joining Lakewood Village then Lakewood Village will enter into negotiations with the Town of Little Elm to release that area to allow Little Elm to begin their annexation process.

**Consideration of Proposals received for Solid  
Waste Collection Contract**

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**(Agenda Item G.5)**

Mayor Schnittker expressed his overall satisfaction with the services received from Allied Waste. Mayor Pro-Tem Vargus stated he is concerned with CWD's history of rate increases and with the possibility of monthly bulk trash pick-up. Councilman Wood stated he was very happy with the service received from Allied and is concerned that CWD does not have a grabber truck and would have to make bulk trash collections by hand. Each Council Member reported their satisfaction with the current services being received from Allied Waste and thanked both companies for their proposals..

**MOTION:** Upon a motion made by Councilman Getka and seconded by Councilman Wood, the Council voted five (5) “ayes” and no (0) “nays” to award the contract for solid waste collection services to Allied Waste Services. The Motion Carried

**Discussion on Economic Development  
Proposal from Mundo & Associates**

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**(Agenda Item G.6)**

Mayor Schnittker introduced representatives from Mundo & Associates. Pam Mundo explained the services they provide in the area of marketing the Town, and organization of the EDC programs. There was some discussion on the scope and cost of their services. Mayor Schnittker

expressed his appreciation for their time but stated he did not believe the Town was in a position to take advantage of their services at this time.

**Discussion on Rocky Point Water System**

**(Agenda Item G.7)**

Mayor Pro-Tem Vargus reviewed the history and timeline of events to date. Mayor Pro-Tem Vargus stated that the Town is currently waiting to hear the results of an audit the State is performing on Mr. Oberdorf's book. This audit will authenticate the Mr. Oberdorf's expenses.

**Consideration of Golf Cart Ordinance**

**(Agenda Item G.8)**

Councilman Getka reported that a new State law provides each municipality with the authority to regulate whether or not golf carts are permitted on the streets within that municipality. Council reviewed the proposed ordinance. There was some discussion on registration of the carts and whether or not to provide a tag or sticker upon registration. Councilman Getka reported that he would make changes to the ordinance based on the discussions and resubmit it on a future agenda.

**MOTION:** No Motion Made

**Consideration of Nuisance Ordinance**

**(Agenda Item G.9)**

Mayor Schnittker reported on a concern about burning at 695 Melody Lane. 695 Melody Lane is a new house construction, however, the burn was being performed by the home owner and therefore was allowed under the current ordinance. Mayor Schnittker stated the only change to the proposed ordinance is a prohibition on burning on any construction site whether the home owner is present or not.

**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 nuisance ordinance as presented. The Motion Carried

**Consideration of Minutes of the August 11,  
2009 Council Meeting**

**(Agenda Item G.9)**

**MOTION:** Upon a motion made by Councilman Getka and seconded by Councilman Wood, the Council voted five (5) "ayes" and no (0) "nays" to approve the minutes of the August 11, 2009 Council Meeting. The Motion Carried

**Reports:**

**(Agenda Item H)**

**Financial Report**

**(Agenda Item H.1)**

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Mayor Pro-Tem Vargus reviewed the financial report

**ADJOURNMENT**

**(Agenda Item I)**

**MOTION:** Upon a motion made by Councilman Guthrie 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 9:05 on Tuesday, August 11, 2009. The motion carried.

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

APPROVED

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Mike Schnittker  
MAYOR

ATTEST:

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Linda Asbell  
CITY SECRETARY