

LAKWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

FEBRUARY 24, 2011

Council Members:

Mike Schnittker, Mayor
Dr. Mark Vargus, Mayor Pro-Tem
Ken Guthrie
Harold Wood
Carl Menckhoff, M.D.
Dave Getka

Town Staff:

Linda Asbell, Town Secretary
Andrew 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 7:04 p.m. on Thursday, February 24, 2011, 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)

Mayor Schnittker addressed the public stating that they were probably attending as a result of a flyer from an anonymous author that had been distributed to the residents of the ETJ regarding The Town of Lakewood Village's intent to immediately annex the area. Mayor Schnittker invited the author of the annexation flyer to come to the front for a public discussion of the facts, the author did not come forward. Mayor Schnittker stated a flyer they received was filled with inaccuracies and a flyer "Lakewood Village Facts" could be found at the back of the council chambers.

Mary Herrera, 3529 Pinnacle, Little Elm, TX: Mary spoke regarding her 16 acres on Eldorado Parkway in Lakewood Village. Ms. Herrera stated some expensive equipment stored in the barn on her property was stolen. Mayor Schnittker stated the area is patrolled by the Denton County Sheriff and Lakewood Village has a neighborhood crime watch established. Ms. Herrera stated a large truck and trailer was used to remove her equipment and asked for people to report any

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suspicious activity seen. Ms. Herrera reported she will begin building a home within the next 6 weeks and requested council review the builder/building fees required in the building ordinance.

Jerry Young, 1216 Oak Street in Rocky Point: Mr. Young stated he received the flyer and asked to be filled in on the intentions of the Town of Lakewood Village. Mayor Schnittker explained the Town cannot annex property in the extra-territorial jurisdiction of the Town without first receiving a petition requesting annexation. Mayor Schnittker stated that the flyer was disparaging toward Lakewood Village and was not fact based. Mayor Schnittker reported the Town would receive approximately \$125 in taxes on a \$50,000 house in Rocky Point, however, the Town pays over \$200 per home each year in fire protection alone. It does not make financial sense at this point to annex property in Rocky Point.

Julio Valenzuela, 1214 Point St, Rocky Point: asked if he could sign a document to opt out of annexation. Mayor Schnittker stated it was not necessary to sign anything to opt out. The only document needing a signature would be the petition requesting annexation.

Paul Stehlik, Sunrise Bay: Mr. Stehlik asked about building permits being required in the ETJ. Mr. Stehlik reported that someone in Denton County District Attorney, Civil Division told him that Lakewood Village does not have the authority to require permits from properties in the ETJ. Town Attorney Messer reported that towns do have the authority to require building permits and inspections outside their town limits. Mr. Stehlik asked if the Town has an annexation plan. Mayor Pro-Tem Vargus explained that because the size of the Town and the limits annexation authority the Town does not have an annexation plan.

CONSENT AGENDA:

(Agenda Item C)

1. Minutes of January 13, 2011 Council Meeting
2. Interlocal Agreement with Denton County for Rental of Voting Machines & Equipment
3. Ordinance Calling a General Election for Council Places 1, 3, & 5 on May 14, 2011
4. Resolution on Removal of Barricade on Shoreline Drive

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 all items on the consent agenda. The motion carried

REGULAR AGENDA:

(Agenda Item D)

**Consideration of Resolution designating a
Municipal Service District, requested by
QuikTrip**

(Agenda Item D.5)

Mayor Schnittker reported that QuikTrip has withdrawn their request and will resubmit at a future date.

Discussion of Sewer System Maintenance

(Agenda Item D.6)

Mayor Schnittker reported that Gary Barnes with AquaMat of Texas has prepared a maintenance schedule. There was some discussion on the jet-cleaning of the sewer lines within the Town. Mayor Schnittker reported regular maintenance will be performed in the first quarter of each year and the repairs will be made during the remaining quarters of the year.

**Consideration of Budget Amendment for
Fiscal Year 2010-2011**

(Agenda Item D.7)

Mayor Pro-Tem Vargus reported revenues to be higher than anticipated. Sales taxes are up 44% this year, building permits and franchise fees are higher than anticipated. Mayor Schnittker reported that Peninsula, Hillside, and Parkwood will be paved. The building inspector costs will increase due to the housing starts. There was some discussion on the utility fund revenues. There was some discussion on the 100% collection rate on property taxes and our Tax Collection Attorney's comment on how unusual that is. There was some discussion on the "water scheduled maintenance" and "sewer scheduled maintenance" line items. There was some discussion on the contingency fund. Mayor Schnittker recognized Gary Barnes of Aquamat and Town Secretary Linda Asbell for their work in the re-permitting of the sewer plant. Mayor Schnittker reported the Town received a proposal for \$30,000 from the Town Engineer for the re-permitting of the sewer plant. There was some discussion on the depreciation.

MOTION: Upon a motion made by Councilman Menckhoff and seconded by Mayor Pro-Tem Vargus the Council voted five (5) "ayes" and no (0) "nays" to approve the ordinance amending the fiscal year 2010-2011 budget as discussed. The motion carried

**Consideration of Interlocal Agreement with
Denton County for Road Repairs**

(Agenda Item D.8)

Mayor Schnittker reviewed the agreement.

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MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Guthrie the Council voted five (5) “ayes” and no (0) “nays” to approve the interlocal agreement with Denton County for Road Repairs. The motion carried.

**Consideration of Ordinance Regulating
Signage**

(Agenda Item D.9)

There was some discussion on the need to control the size and types of permitted signs.

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 ordinance regulating signage. The motion carried

Consideration of Building Ordinance

(Agenda Item D.10)

No action was taken on this item.

EXECUTIVE SESSION

(Agenda Item E)

In compliance with Section 551.072, Texas Government Code, Mayor Schnittker adjourned into executive session at 7:25 p.m. to deliberate the purchase, exchange, lease, or value of real property .

RECONVENE

(Agenda Item F)

Mayor Schnittker reconvened the council and called the meeting to order at 8:58 p.m.

COUNCIL AND STAFF COMMENTS

(Agenda Item G)

Town Secretary, Linda Asbell, reported on Little Elm Area Day in Austin to be held on March 3rd.

ADJOURNMENT

(Agenda Item H)

MOTION: Upon a motion made by Councilman Getka and seconded by Mayor Pro-Tem Vargus the Council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lakewood Village Town Council at 9:03 on Thursday, February, 24, 2011. The motion carried.

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These minutes approved by the Lakewood Village Town Council on the 10th day of March, 2011

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APPROVED

Mike Schnittker
MAYOR

ATTEST:

Linda Asbell
TOWN SECRETARY