

LAKEWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

NOVEMBER 14, 2019

Council Members:

Dr. Mark Vargus, Mayor
Darrell West – Mayor Pro-Tem
Clint Bushong
Serena Lepley
Matt Bissonnette
Eric Farage

Town Staff:

Linda Asbell, TRMC, CMC – Town Secretary
Julie Fort, Deputy Town Attorney (via teleconference)

REGULAR SESSION - 7:00 P.M.

With a quorum of the Council Members present, Mayor Vargus called the Regular Meeting of the Town Council to order at 7:00 p.m. on Thursday, November 14, 2019 in the Council Chambers of the Lakewood Village Town Hall, 100 Highridge Drive, Lakewood Village, Texas.

PLEDGE TO THE FLAG:

(Agenda Item A)

Mayor Vargus led the Pledge of Allegiance

VISITOR/CITIZENS FORUM:

(Agenda Item B)

No one requested to speak

PUBLIC HEARING:

(Agenda Item C)

A public hearing was held to provide an opportunity for citizens to comment on the proposed thoroughfare plan. Mayor Vargus opened the public hearing at 7:05 p.m. No one requested to speak.

MOTION: Upon a motion made by Councilman Bushong and seconded by Councilman Bissonnette, council voted five (5) “ayes”, no (0) “nays” to close the public hearing at 7:05 pm. *The motion carried.*

CONSENT AGENDA:

(Agenda Item D)

1. Minutes of August 15, 2019 Council Meeting (Asbell)
2. Minutes of September 12, 2019 Council Meeting (Asbell)
3. Minutes of October 3, 2019 Council Meeting (Asbell)
4. Minutes of October 10, 2019 Council Meeting (Asbell)

MOTION: Upon a motion made by Councilman Farage and seconded by Mayor Pro-Tem West, council voted five (5) “ayes”, no (0) “nays” to approve the consent agenda items as presented. *The motion carried.*

REGULAR AGENDA:

(Agenda Item E)

**Consideration of Republic Services Contract
(Asbell)**

(Agenda Item E.1)

Town Secretary Asbell reviewed the changes in the contract. There was some discussion about the bulk trash schedule and Christmas tree disposal. Town Secretary Asbell reported the new trash calendars would go to residents in the December water bill.

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilwoman Lepley, council voted five (5) “ayes”, no (0) “nays” to approve the contract with Republic Services as presented. *The motion carried.*

**Consideration of Preliminary Plat for
Sanctuary at Sunset Cove (Todd Strouss,
Kimley Horn)**

(Agenda Item E.2)

Town Engineer Todd Strouss reviewed the resubmittal of the preliminary plat and stated the previous comments have been addressed in this submittal. Mr. Strouss recommended approval of the preliminary plat with the conditions outlined in their review. Mayor Vargus stated the next step for the developer would be to submit detailed engineered drawings. Mayor Vargus reported the development is in the Lakewood Village Extra Territorial Jurisdiction but is still required to provide adequate fire flow and comply with Lakewood Village’s subdivision ordinance.

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilman Farage, council voted five (5) “ayes”, no (0) “nays” to approve the preliminary

plat Sanctuary at Sunset Cove with the conditions identified by the Town Engineer. *The motion carried.*

**Consideration of Professional Services
Agreement with LandPlan/Sam Hill Venture
(Vargus)**

(Agenda Item E.4)

Mayor Vargus reported that a professional services agreement is standard practice and requires the developer to cover the cost of engineering, legal, and other professional services related to the development.

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilman Farage, council voted five (5) “ayes”, no (0) “nays” to authorize the mayor to execute a professional services agreement with LandPlan/Sam Hill Venture. *The motion carried.*

**Consideration of Professional Services
Agreement with Sanctuary Texas (Vargus)**

(Agenda Item E.5)

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Councilman Bissonnette, council voted five (5) “ayes”, no (0) “nays” to authorize the mayor to execute a professional services agreement with Sanctuary Texas. *The motion carried.*

**Consideration of Resolution Accepting the
Petition for the Creation of a Public
Improvement District at Sanctuary at Sunset
Cove and Calling a Public Hearing (Vargus)**

(Agenda Item E.3)

Mayor Vargus reported this resolution does not obligate the town to do anything other than start the process of creation of a taxing district for the development in the extra territorial jurisdiction. The process can take up to eight months and requires several public hearings and further council action to create the taxing district.

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilman Farage, council voted five (5) “ayes”, no (0) “nays” to approve the resolution accepting the petition to create a public improvement district at Sanctuary at Sunset Cove and calling a public hearing on the matter. *The motion carried.*

**Presentation of the Audit of 2018-2019 Fiscal
Year, Mr. Wayne Nabors, Nabors CPA
Services (Vargus)**

(Agenda Item E.6)

Mr. Nabors reviewed the independent auditor's report. Mr. Nabors reported that the town has received a "clean audit" indicating the financial statements of the town, in all material respects, have been fairly and accurately reported. Mr. Nabors reviewed the balance sheet and reported that the town has an unassigned fund balance, or reserve fund, of \$268,176 which represents ninety-three percent of the town's annual overall expenditures. Mr. Nabors reported a healthy reserve fund is important. The town has a 2,900/1 ratio of assets to liabilities which is a very strong financial position. Mr. Nabors reported the town had a positive variance in both the revenue and the expenditures categories. Mr. Nabors reported the positive variance indicates the town has very good controls over expenditures and is conservative in budgeting revenues. The unrestricted fund balance in Utility Fund indicates a seventy-three percent reserve. Mr. Nabors congratulated Mayor Vargus, Town Administrator Linda Asbell, and Utility Billing Coordinator Summer Alvis in locating a problem caused by a vendor programming error in the billing software which corrected the receivables by over \$11,000. Mr. Nabors reported the town has good segregation of duties and controls and the location and correction of the receivables error is an example of good stewardship. Mr. Nabors reported that the town keeps excellent records and was responsive to all requests for information.

Mayor Vargus asked Mr. Nabors' opinion of the town's financials for issuing debt for concrete roads. Mr. Nabors stated he believes the town is in an excellent position and he sees no reason why the town would not receive a favorable rating. There was some discussion about the improvements to the utility system which provides economies of scale. There was some discussion about decreases in expenses. Mayor Vargus reported in at the start of the previous concrete road project in 2014 the fund balance was ninety-nine percent of expenses; at the start of this new concrete road project the fund balance is ninety-three percent of expenses.

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Councilman Bissonnette, council voted five (5) "ayes", no (0) "nays" to accept the audit report for fiscal year 2018-2019. *The motion carried.*

Consideration and approval of a resolution relating to establishing the town’s intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various town improvements from the proceeds of tax exempt obligations to be issued by the town for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date (Vargus)

(Agenda Item E.7)

Mayor Vargus reported that the expenses associated with the road project that are paid by the town up front can be reimbursed to the town through the bond proceeds.

MOTION: Upon a motion made by Councilman Bissonnette and seconded by Mayor Pro-Tem West, council voted five (5) “ayes”, no (0) “nays” to approve the resolution establishing the town’s intent to reimburse itself from the bond proceeds. *The motion carried.*

Update on Concrete Road Project (Brittney Shake, Kimley Horn)

(Agenda Item E.8)

Brittney Shake reviewed the updated timeline and the details of the Geotech and survey. Ms. Shake reported on the preliminary design of the road and walking the details of the survey. Ms. Shake stated the Geotech did not recommend using a liner and the road will be six inches of concrete. Ms. Shake reported that some minor adjustments to the location of the road were made on curves. Ms. Shake reviewed the grading and drainage preliminary design which proposes keeping existing ditches in some areas and removing ditches in other areas. The week of November 18th a thirty-percent schematic will be presented to the town for review. Final design is expected to be completed in early February 2020. Current roads are between seventeen feet and twenty-two feet wide. There was some discussion about meeting at Kimley Horn to have access to the information on their systems.

Mayor Vargus reviewed proposed changes to the current mailbox facility to accommodate the mailboxes that will need to be moved from Highridge and allow for parking. There was some discussion about moving the fence at the water plant and relocating the rolling gate to the sewer plant. There was some discussion about moving the bulletin board.

**Consideration of Adoption of Amended
Thoroughfare Plan (Vargus)**

(Agenda Item E.9)

Mayor Vargus reviewed the traffic study completed by the town engineer which recommends moving the entrance for safety reasons. Mayor Vargus reported on the process for amending the thoroughfare plan. Mayor Vargus stated for safety reasons he believes the town needs to have two left turn lanes to exit town. Council discussed three lanes to exit town and two lanes to enter town. Mayor Vargus reported the proposed thoroughfare plan shows the entrance in the location the Town Engineer has recommended as being the best option for safety.

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Councilman Farage, council voted five (5) “ayes”, no (0) “nays” to adopt the thoroughfare plan as presented. *The motion carried.*

**Consideration of Amendment of the
Consolidated Fee Ordinance (Vargus)**

(Agenda Item E.10)

Mayor Vargus stated the garbage fees need to be amended due to the new contract with Republic Services. The meter set fees also need to be amended to allow for larger meters and remote read meters. Councilman Bushong recommended changing the title of section 2.7.1 to “Meter and Set Fee” to cover parts and labor.

MOTION: Upon a motion made by Councilman Bushong and seconded by Mayor Pro-Tem West, council voted five (5) “ayes”, no (0) “nays” to amend the consolidated fee ordinance to adopt the new garbage rates and incorporate the meter and set fees as presented. *The motion carried.*

**Discussion of Water and Wastewater System
Capacity (Vargus)**

(Agenda Item E.11)

Mayor Vargus reviewed the storage capacity and demand on the water system during the summer. The system has enough storage capacity to cover approximately 800 homes. An additional well will be required. There was some discussion about TCEQ requirements.

Mayor Vargus reviewed the capacity and demand on the sewer system during the previous summer. There was some discussion about TCEQ requirements. The town will start the design engineering for increasing the capacity of the sewer plant within the next several months which is well in advance of the TCEQ requirement.

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EXECUTIVE SESSION:

(Agenda Item F)

At 8:17 p.m. Mayor Vargus recessed into executive session in accordance with (1) § 551.071(2), Texas Government Code to wit: consultation with Town Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter to receive legal advice. (2) § 551.072 Texas Government Code to wit: deliberations about real property; (3) § 551.087 Texas Government Code to wit: Economic Development Negotiations; and (4) § 551.076 Texas Government Code to wit: deliberations about Security Devices

RECONVENE:

(Agenda Item G)

Mayor Vargus reconvened the regular session at 9:46 p.m. No action was taken.

REPORTS

(Agenda Item H)

Town Secretary Asbell reported the official Dark Sky Community designation has been received.

Mayor Vargus reported that the financial advisors will attend the next council meeting to provide information about the bond issuance.

ADJOURNMENT

(Agenda Item I)

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Councilman Farage council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Meeting of the Lakewood Village Town Council at 9:50 p.m. on Thursday, November 14, 2019. The motion carried.

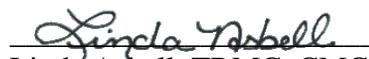
These minutes approved by the Lakewood Village Town Council on the 13th day of February 2020.

APPROVED:



Darrell West
MAYOR PRO-TEM

ATTEST:



Linda Asbell, TRMC, CMC
TOWN SECRETARY

