

LAKEWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

SEPTEMBER 9, 2021

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
Andy Messer –Town Attorney

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, September 9, 2021 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.

PRESENTATIONS:

(Agenda Item B)

Mayor Vargus presented a proclamation designating September 17 – 23, 2021 as Constitution week. The presentation was received by Ms. Susan Cox of the Prestonwood Chapter of the Daughters of the American Revolution.

VISITOR/CITIZENS FORUM:

(Agenda Item C)

Eric Hancock, 8249 Treemont Place, Frisco, Texas spoke regarding Consent Agenda Item E.1. Minutes of August 12, 2021. Mr. Hancock asked council to remove the minutes from the consent agenda and not approve them because they do not fully reflect his statements.

Eric Hancock, 8249 Treemont Place, Frisco, Texas spoke regarding Regular Agenda Item F.9. Assigning the Development Agreement from Sam Hill Ventures to First Texas Homes. Mr.

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Hancock stated he supports First Texas Homes providing more affordable homes but LandPlan is a premier developer and First Texas Homes is not. Mayor Vargus asked Mr. Hancock to stay on the topic of the assignment. Mr. Hancock spoke off the topic of the assignment of the development agreement, Mayor Vargus reported that his own private company has nothing to do with the town and the topic of this agenda item is limited to the assignment of the development agreement.

PUBLIC HEARING:

(Agenda Item D)

A public hearing was held to provide an opportunity for citizen comment on the proposed combined property tax rate of \$0.45/\$100.

No one requested to speak.

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilman Farage, council voted five (5) “ayes”, no (0) “nays” to close the public hearing at 7:11 p.m. *The motion carried.*

CONSENT AGENDA:

(Agenda Item E)

1. Minutes of August 12, 2021 Council Meeting (Ruth)
2. Approval of the Municipal Development District 2021-2022 Budget (Ruth)
3. Ratification of Interlocal Agreement with Little Elm for Law Enforcement Services for PID#1 (Ruth)
4. Ratification of Interlocal Agreement with Little Elm for Fire/EMS Services for PID#1 (Ruth)
5. Boundary Adjustment between the Towns of Lakewood Village and Little Elm (Ruth)

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 consent agenda items as presented. *The motion carried.*

REGULAR AGENDA:

(Agenda Item F)

**Consideration of Ordinance Adopting the
2021-2022 Property Tax Rate of \$0.45/\$100
(Ruth)**

(Agenda Item F.1)

Mayor Vargus reported on issues with the Denton Central Appraisal District and inaccurate numbers in the certified roll. Mayor Vargus explained publication requirements. Council

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discussed having an additional meeting on September 21, 2021. Secretary Ruth will publish the public hearing prior to the adoption of the tax rate.

No action was taken.

**Ratification of Ordinance 21-13 Adopting
Fiscal Year 2021-2022 Budget (Ruth)**

(Agenda Item F.2)

MOTION: Upon a motion made by Mayor Pro-Tem West seconded by Councilman Bissonnette, council voted five (5) “ayes”, no (0) “nays” to ratify the property tax increase reflected in the 2021-2022 budget as adopted. *The motion carried.*

ROLLCALL VOTE

Mayor Vargus – present and not voting
Mayor Pro-Tem West - aye
Councilman Bushong - aye
Councilwoman Lepley - aye
Councilman Farage - aye
Councilman Bissonnette - aye

**Consideration of the Utility Policy Ordinance
(Vargus)**

(Agenda Item F.3)

Mayor Vargus reported that he is working with vendors for remote read meters. Mayor Vargus reviewed the proposed changes in the ordinance related to meter size relative to lot size. Mayor Vargus reported that the first tranche of federal stimulus funds has been received and can be dedicated to infrastructure. There was some discussion about the federal definition of “infrastructure”.

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Councilman Bissonnette, council voted five (5) “ayes”, no (0) “nays” to approve the Utility Policy Ordinance as presented. *The motion carried.*

**Consideration of CO/CSI Inspection
Ordinance (Vargus)**

(Agenda Item F.4)

Mayor Vargus reviewed the history of the ordinance. Mayor Vargus reported on ongoing challenges with the current “temporary certificate of occupancy” procedure. Mayor Vargus reviewed the proposed changes which defines and allows a temporary utility release for people

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who a remodeling but not moving in; and a temporary certificate of occupancy for people building a new home. Councilman Bushong reported that 21 homes that have changed owners in this calendar year. Mayor Vargus stated no vote is needed at the council meeting tonight. Council can review the proposed ordinance and consider it at the September 21, 2021 council meeting.

No Action was taken.

**Consideration of Town Engineer Task Order
for Utility Master Plan (Vargus)**

(Agenda Item F.5)

Mayor Vargus reported the town is experiencing rapid development and is expecting approximately 530 additional homes and an elementary school in the next three years. Mayor Vargus reported on the need for a utility master plan to project the required infrastructure to handle the expected buildout. The town might need to construct a new wastewater plant along with a water town to provide adequate service. The Sanctuary Public Improvement District will reimburse the town for their portion of the required infrastructure where there was some discussion about financing for the projects. Mayor Vargus reported on the urgency of the project due to the eminent 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 Mayor Vargus to execute engineering task order for the utility master plan. *The motion carried.*

**Consideration of Town Engineer Task Order
for Eldorado Parkway Master Plan (Vargus)**

(Agenda Item F.6)

Mayor Vargus reviewed the comprehensive nature of designing the Lakewood Village portion Eldorado Parkway along with the town entrance. The town engineer will design a master plan and provide options. There was some discussion about partnering with Denton County for Eldorado Parkway improvements.

No action was taken.

**Consideration of Town Engineer Task Order
for Mapping for Fire/EMS Dispatching
(Vargus)**

(Agenda Item F.7)

Mayor Vargus reported that Little Elm Fire will be dispatched through the City of Denton rather than through the Denton County Sheriff’s Office. The new dispatch requires GIS mapping for

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Lakewood Village for Fire/EMS response. Mayor Vargus reported the cost of the project will be less than \$10,000.

MOTION: Upon a motion made by Councilman Farage and seconded by Councilman Bissonnette, council voted five (5) “ayes”, no (0) “nays” to authorize Mayor Vargus to executed engineering task order for GIS for Fire/EMS Dispatching for an amount not to exceed \$10,000. *The motion carried.*

Discussion of Street Signs (Vargus)

(Agenda Item F.8)

Mayor Vargus reported on federal regulations requiring street signs include both upper and lower case. There was some discussion about color suggestions for the street sign blades.

**Consideration of Resolution Assigning the
Development Agreement from Sam Hill
Ventures to First Texas Homes (Vargus)**

(Agenda Item F.9)

Mayor Vargus introduced Mr. Tony Shaw from First Texas Homes. Mr. Shaw stated that First Texas Homes has been in business for 35 years building semi-custom homes. First Texas Homes has been one of the top five builders in DFW in the last five years based on volume. Their homes range from \$350,000 to \$6,000,000. Mr. Shaw reported they would build customized homes for the development in Lakewood Village. First Texas Homes operates on a cash basis and does not borrow funds to build their neighborhoods. Mr. Shaw stated First Texas would likely build approximately 1,800 homes this year. Mayor Vargus reported that it has been a pleasure dealing with First Texas Homes, particularly their engineer, Tom. Mr. Shaw said he understands this development has been delayed for several years, but they are excited to begin as soon as possible. Mayor Vargus reported that the developer agreement will be amended but the changes are not going to be significant. Council expressed appreciation with the way First Texas Homes has embraced working with Lakewood Village. Mr. Shaw reported that First Texas Homes is moving forward with closing the purchase of the property and will spend the next five to six months in engineering.

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 assigning the development agreement from Sam Hill Ventures to First Texas Homes. *The motion carried.*

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**Consideration of Cooperative Agreement
with Denton County for Community
Development Block Grant 2023-2025 (Ruth)**

(Agenda Item F.10)

Town Secretary Ruth reported on the consortium Denton County is building to participate in the CDBG program. Secretary Ruth reported she is concerned that the program is narrow in its focus of approved projects and those projects might not be in line with Lakewood Village's vision. A major concern is that participation in the consortium would restrict Lakewood Village from accessing any grants administered by the State.

No Action was Taken.

Discussion of Concrete Road Project (Vargus)

(Agenda Item F.11)

Mayor Vargus reported that Ed Bell Construction has not completed the punch list and has not agreed to the change order to close the project. Ed Bell has received the certified letters from the town engineer but to date has not responded. There was some discussion about the status of the project.

EXECUTIVE SESSION:

(Agenda Item G)

At 8:27 p.m. Mayor Vargus recessed into executive session in accordance with

1. § 551.071(1), Texas Government Code to wit: consultation with Town Attorney regarding pending or contemplated litigation, re: Town of Lakewood Village v. Hope McClure in her official capacity as Chief Appraiser and Denton Central Appraisal District regarding certified appraisal rolls; and
2. § 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 re: Development agreements, development and zoning standards; and
3. § 551.087 Texas Government Code to wit: Economic Development Negotiations regarding First Texas Homes, Sanctuary at Sunset Cove, Project Left Field, Project Slade Rock, Project Boy Scout, Project Lakewood Village Partners, Project Lightning Bolt; and
4. § 551.072 Texas Government Code to wit: deliberations about real property regarding First Texas Homes, Sanctuary at Sunset Cove, Project Left Field, Project Slade Rock, Project Boy Scout, Project Lakewood Village Partners, Project Lightning Bolt

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RECONVENE:

(Agenda Item H)

Mayor Vargus reconvened the regular session at 9:27 p.m. No action was taken.

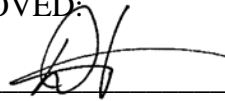
ADJOURNMENT

(Agenda Item I)

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Mayor Pro-Tem West council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Meeting of the Lakewood Village Town Council at 9:27 p.m. on Thursday September 9, 2021. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 10th day of November 2021.

APPROVED:



Darrell West
MAYOR PRO-TEM

ATTEST:


Linda Ruth, TRMC, CMC
TOWN SECRETARY

