

LAKEWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

AUGUST 8, 2019

Council Members:

Dr. Mark Vargus, Mayor
Darrell West – Mayor Pro-Tem
Clint Bushong
Serena Lepley
Matt Bissonnette
Eric Farage – Arrived at 8:32 p.m.

Town Staff:

Linda Asbell, TRMC, CMC – Town Secretary

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, August 8, 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 combined property tax rate of \$0.415/\$100. Mayor Vargus opened the public hearing at 7:00 p.m.

Mayor Vargus reported the tax rate should have been \$0.415 for the last several years to cover the bond payments for phase 1 of the concrete roads however the general fund was supplementing the debt servicing amount. The tax rate must now be increased to cover the bond payments in order to proceed with the second phase of the concrete roads. Mayor Vargus reported the additional funds collected with the increased taxes will be used to cover the double

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bond payments. Mayor Vargus reported on the tax rate of surrounding communities with Lakewood Village continuing to have the lowest rate in the area. Mayor Vargus reported the total tax bill a citizen will receive will go up approximately 5% but the majority of the increase is due to the school district. The average citizen will see an increase of approximately \$200 due to the concrete road project.

MOTION: Upon a motion made by Councilman Bushong and seconded by Mayor Pro-Tem West, council voted four (4) “ayes”, no (0) “nays” to close the public hearing at 7:07 pm. *The motion carried.*

PUBLIC HEARING:

(Agenda Item D)

A public hearing was held to provide an opportunity for citizens to comment on the amendments to the Zoning, Subdivisions Regulation Ordinance and Building Codes to cause said ordinance to be in compliance with House Bill 2439, House Bill 3167 and House Bill 2497 which take effect on September 1, 2019. Mayor Vargus opened the public hearing at 7:08 p.m.

Mayor Vargus reported on the legislature changes which take effective September 1st. Mayor Vargus reported on the process for updating the ordinances to meet the legislative requirements.

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Councilman Bissonnette, council voted four (4) “ayes”, no (0) “nays” to close the public hearing at 7:10 pm. *The motion carried.*

PUBLIC HEARING:

(Agenda Item E)

A public hearing was held to provide an opportunity for citizens to comment on the proposed ordinance changes in agenda items F6. Through F.10. Mayor Vargus opened the public hearing at 7:10 p.m.

Mayor Vargus reported that council would like to give citizens an opportunity to have input on proposed ordinances council is considering. Mayor Vargus reported that previously the town prohibited parking of oversized vehicles on town street, but it was eliminated during ordinance updates. The prohibition on oversized vehicle parking is being considered by council. Mayor Vargus reported that the nuisance ordinance is being updated to remove burning restrictions because that is regulated by the Fire Code. Mayor Vargus reported on consideration of a noise related restriction in the noise ordinance.

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilwoman Lepley, council voted four (4) “ayes”, no (0) “nays” to close the public hearing at 7:01 pm. *The motion carried.*

REGULAR AGENDA:

(Agenda Item F)

**Update on Dark Sky Community Designation
(Asbell)**

(Agenda Item F.1)

Town Secretary Asbell reported that on July 31st the town was notified that it has received preliminary approval of its application to receive designation as an International Dark Sky Community. Full approval is pending clarification of information already provided in the application. Agenda item F.2. will address the only remaining outstanding request from the committee. On September 21st the Town will be hosting a Star Party with telescopes at the west end of Carrie Lane. Sheryl France, Dark Sky Committee Chairperson, introduced Janie Newsome (former teacher), Pam Radcliff (former principal), Lynn Burkhardt (Master Gardner), and Lynn Stewart will be hosting the star parties who will all be on the Dark Skies Committee.

**Consideration of Amendment to the Dark
Sky Application (Asbell)**

(Agenda Item F.2)

Secretary Asbell reported the graph provided will be included in the Dark Sky Community Designation application packet. It does not impose any additional requirements, it only restates, in graft format, a timeline already provided for by the outdoor lighting ordinance. Mayor Vargus requested council review and approve the changes to the application as a show of support of the designation.

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Mayor Pro-Tem West, council voted four (4) “ayes”, no (0) “nays” to approve the proposed amendment to the Dark Sky Application. *The motion carried.*

**Discussion of Concrete Road Project, Kimley
Horn (Vargus)**

(Agenda Item F.3)

Brittany Shake reviewed the updated schedule. The GeoTech has all been completed, phase 2 of the project is the survey. The surveying was approved in July and has been started. The next step is engineering. The survey is expected to be completed mid-September. In order to meet the new planned project award date in March, rather than previously planned award in June, the engineering will need to be started as soon as the surveying is turned in. Ms. Shake reviewed the process for bid submittal and award. The construction phase is expected to take approximately eight months. Ms. Shake reviewed the surveying process and how the information is processed. There was some discussion about “walking the survey” to identify potential conflicts and needed

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adjustments in design. There was some discussion about the design of the culs-de-sac on the ends of Carrie Lane, Meadow Lake, and the “Courts” on Stowe Lane. Mayor Vargus reported that the need to coordinate with the bond financing which usually takes place in February, is driving the expedited award date.

**Consideration of Phase 3 Engineering Task
for Concrete Roads (Vargus)**

(Agenda Item F.4)

Brittany Shake reviewed the civil engineering required in the design of the road which will include review of drainage needs, coordination with utilities, and preparing construction plans and probable construction costs. Ms. Shake reviewed the bidding phase of the process and execution of the contracts with the contractor constructing the roads. There was some discussion about construction deadlines for contractors. Mayor Vargus reported the fees for this project will be paid during the next fiscal year budget and funds will be recovered after bond funding.

MOTION: Upon a motion made by Councilman Bushong and seconded by Councilman Bissonnette, council voted four (4) “ayes”, no (0) “nays” to authorize the mayor to execute the agreement for Engineering, Phase 3 Task with Kimley Horn. *The motion carried.*

Discussion of Water Operations (Vargus)

(Agenda Item F.5)

Mayor Vargus reported in August last year the wells were running for up to two days before turning off. Currently the wells are running approximately 9 hours a day and the tanks are full. Financially the town is approximately the same position as last year with water and sewer billing.

Discussion of Zoning Ordinance (Vargus)

(Agenda Item F.6)

Discussed concurrently with Agenda Item F.7.

**Discussion of Subdivision Ordinance
(Vargus)**

(Agenda Item F.7)

Mayor Vargus reported that the ordinance is a catch-all ordinance that uniformly provides a “patch” to make our ordinance compliant with the new legislative requirements. The Town Attorney has provided this ordinance to all the municipalities served by his office. Council will consider this ordinance at the council meeting next week.

Discussion of Nuisance Ordinance (Vargus)

(Agenda Item F.8)

Mayor Vargus reviewed the history of the changes in the nuisance ordinance. There was some discussion about the burning regulations being removed from the nuisance ordinance as it is covered in the fire code. There was some discussion about outdoor storage regulations and property maintenance regulations. There was some discussion about updating sections limiting authority for enforcement so they all reflect the same authorities and restrictions. There was some discussion about noise complaints.

Discussion of Parking Ordinance (Vargus)

(Agenda Item F.9)

Mayor Vargus reviewed the history of parking complaints and the consideration of on-street parking regulations. There was some discussion about restrictions on oversized vehicles overnight. There was some discussion about signs required to restrict parking. There was some discussion about enforcement. Council will consider these ordinances at the September council meeting.

**Discussion of Junked Vehicle Ordinance
(Vargus)**

(Agenda Item F.10)

Mayor Vargus reported the only change is the removal of the approved parking surface requirement as it is covered in the parking ordinance. Mayor Vargus reported on the concerns about vehicles appearing to be “abandoned” at the entrance to town. Mayor Vargus reported that the town has no ability to have those vehicles towed because they are on private property. Town Secretary Asbell coordinates with the property owner and the Sheriff’s Office to ensure the vehicles are removed as soon as possible.

**Consideration of Approval of the Municipal
Development District Budget Fiscal Year
2019-2020 (Vargus)**

(Agenda Item F.11)

Linda Loudon reported the projects line includes \$5,000 for events, \$10,000 for town road related projects, and \$5,000 was planned for painting the equipment at Rocky Point.

MOTION: Upon a motion made by Councilman Bissonnette and seconded by Mayor Pro-Tem West, council voted four (4) “ayes”, no (0) “nays” to approve the Municipal Development District Fiscal Year 2019-2020 budget. *The motion carried.*

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**Consideration of Ordinance Adopting Tax
Rate for 2020 (Vargus)**

(Agenda Item F.12)

Mayor Vargus reported that the tax roll was just certified a few days ago and Denton County is working on the required publication. Council will consider the ordinance at the council meeting in September.

**Ratification of Fiscal Year 2019-2020 Budget
(Asbell)**

(Agenda Item F.13)

Mayor Vargus reported that the tax roll was certified with approximately 20% of the properties in Lakewood Village still being under appeal. The certified tax roll shows the property taxes being slightly lower than anticipated.

EXECUTIVE SESSION:

(Agenda Item G)

At 8:32 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 H)

Mayor Vargus reconvened the regular session at 9:24 p.m. No action was taken.

REPORTS

(Agenda Item I)

No reports were given

ADJOURNMENT

(Agenda Item J)

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

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Meeting of the Lakewood Village Town Council at 9:25 p.m. on Thursday,
August 11, 2019. The motion carried.

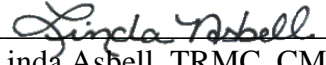
These minutes approved by the Lakewood Village Town Council on the 15th day of September
2019.

APPROVED



Darrell West
MAYOR PRO-TEM

ATTEST:



Linda Asbell, TRMC, CMC
TOWN SECRETARY

