



**LAKEWOOD VILLAGE TOWN HALL
100 HIGHRIDGE DRIVE
LAKEWOOD VILLAGE, TEXAS**

**TOWN COUNCIL MEETING
NOVEMBER 9, 2017 7:00 P.M.**

REGULAR SESSION – AGENDA

Call to Order and Announce a Quorum is Present

A. PLEDGE TO THE FLAG:

B. MAYORAL STATEMENT: Meeting decorum

C. VISITOR/CITIZENS FORUM: At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action may be taken on these items at this meeting.

D. PUBLIC HEARING: A public hearing is scheduled on the fence ordinance to provide an opportunity for citizen comment.

E. PUBLIC HEARING: A public hearing is scheduled to provide an opportunity for citizen comment on the variance request for garage size and garage door setback at 418 Hillside Drive

F. CONSENT AGENDA:

1. Engagement of Nabors CPA for Audit Services (Asbell)
2. Replat 206 Highridge Drive (Asbell)
3. Minutes of October 12, 2017 Council Meeting (Asbell)

G. REGULAR AGENDA:

1. Councilmember's Related Party Disclosures – Required for Audit (Vargus)
2. Variance Request for Garage Size and Garage Door Setback, 418 Hillside (Asbell)
3. Consideration of Fence Ordinance (Vargus)
4. Discussion of Impact Fee Report (Bushong)
5. Consideration of Authorizing Expenditures for Road Repairs (Newsome)
6. Consideration of 2017-2018 Capital Improvements Projects (Vargus)
7. Consideration of 2016-2017 Budget Amendment (Vargus)

H. EXECUTIVE SESSION: In accordance with Texas Government Code, Section 551.001, et seq., the Town Council will recess into Executive Session (closed meeting) to discuss the following: §551.071(2): Consultation with 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; (2) §551.087: To discuss or deliberate regarding commercial or financial information that the Town of Lakewood Village has received from a business prospect that the Town seeks to have locate, stay, or expand in or near the territory of the Town of Lakewood Village and with which the Town is conducting economic development negotiations; and/or to deliberate the offer of a financial or other incentive to the business prospect.; and (3) § 551.072 Texas Government Code to wit: deliberations about real property

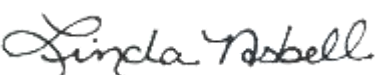
I. RECONVENE: Reconvene into regular session and consideration of action, if any, on items discussed in executive session

H. COUNCIL AND STAFF COMMENTS: Comments may be made by Council or Staff. No formal action may be taken on these items at this meeting.

I. ADJOURNMENT

I do hereby certify that the above notice of meeting was posted on the designated place for official notice at 3:50 p.m. on Friday, November 3, 2017.





Linda Asbell, TRMC, CMC, Town Secretary

The Town Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development), 418.183 (Homeland Security)

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the Town Secretary's office at 972-294-5555 or FAX 972-292-0812 for further information.

One or more members of the LAKEWOOD VILLAGE MUNICIPAL DEVELOPMENT DISTRICT may attend this meeting. No action will be taken by the MDD Board during this meeting.



Nabors CPA Services, P.C.

CERTIFIED PUBLIC ACCOUNTANT
AUDIT, TAX AND CONSULTING SERVICES

(972) 464-1226

8765 Stockard Drive, Suite 404

Frisco, Texas 75034

How well do you know your CPA?

May 31, 2017

Town of Lakewood Village
100 Highridge Drive
Lakewood Village, TX 75068

I am pleased to confirm my understanding of the services I am to provide Town of Lakewood Village for the years ended September 30, 2017. I will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, which collectively comprise the basic financial statements of Town of Lakewood Village as of and for the years ended September 30, 2017. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement Town of Lakewood Village's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of my engagement, I will apply certain limited procedures to Town of Lakewood Village's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to my inquiries, the basic financial statements, and other knowledge I obtained during my audit of the basic financial statements. I will not express an opinion or provide any assurance on the information because the limited procedures do not provide me with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited.

1. Management's Discussion and Analysis.
2. Budgetary Comparison Schedules

Audit Objective

The objective of my audit is the expression of opinion as to whether your basic financial statements are fairly presented, in all material respects, in conformity with generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the first paragraph when considered in relation to the financial statements as a whole. My audit will be conducted in accordance with auditing standards generally accepted in the United States of America and will include tests of the accounting records and other procedures I consider necessary to enable me to express such opinion. If my opinion on the financial statements is other than unqualified (unmodified), I will discuss the reasons with you in advance. If, for any reason, I am unable to complete the audit or am unable to form or have not formed opinion, I may decline to express opinion or to issue a report as a result of this engagement.

Member of:
American Institute of CPA's
Texas Society of CPA's

Management Responsibilities

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. You are also responsible for making all management decisions and performing all management functions, for designating an individual with suitable skill, knowledge, or experience to oversee my assistance with the preparation of your financial statements and related notes and any other non-attest services I provide; and for evaluating the adequacy and results of those services and accepting responsibility for them.

Management is responsible for establishing and maintaining effective internal controls, including monitoring ongoing activities, for the selection and application of accounting principles; and for the fair presentation in the financial statements of the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Town of Lakewood Village and the respective changes in financial position and where applicable, cash flows, in conformity with U.S. generally accepted accounting principles.

Management is also responsible for making all financial records and related information available to me and for the accuracy and completeness of that information. You are also responsible for providing me with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that I may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom I determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to me in the written representation letter that the effects of any uncorrected misstatements aggregated by me during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud and for informing us about all known or suspected fraud or illegal acts affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws and regulations.

You are responsible for the preparation of the supplementary information in conformity with U.S. generally accepted accounting principles. You agree to include my report on the supplementary information in any document that contains and indicates that I have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes my report thereon or make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with my report thereon. Your responsibilities include acknowledging to me in the representation letter that (a) you are responsible for presentation of the supplementary information in accordance with GAAP; (b) that you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (c) that

the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (d) you have disclosed to me any significant assumptions or interpretation underlying the measurement or presentation of the supplementary information.

Audit Procedures – General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, my audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. I will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because I will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by me, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards. In addition, an audit is not designed to detect immaterial misstatements, or violations of laws or governmental regulations that do not have a direct and material effect on the fraudulent financial reporting or misappropriation of assets that come to my attention. I will also inform the appropriate level of management of any violations of laws or governmental regulations that come to my attention, unless clearly inconsequential. My responsibility as auditor is limited to the period covered by my audit and does not extend to any later periods for which I am not engaged as auditor.

My procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. I will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of my audit, I will require certain written representations from you about the financial statements and related matters.

Audit Procedures – Internal Control

My audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing and extent of further audit procedures. An audit is not designed to provide assurance on internal control or to identify deficiencies in internal control. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards.

Audit Procedures – Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatements, I will perform tests of Town of Lakewood Village's compliance with the provisions of applicable laws, regulations, contracts, and agreements. However, the objective of my audit will not be to provide an opinion on overall compliance and I will not express such an opinion.

Engagement Administration, Fees, and Other

Wayne Nabors is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it. My fee for these services will be at my standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that I agree that my gross fee, including expenses will not exceed \$11,300. My standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, I will discuss it with you and arrive at a new fee estimate before I incur the additional costs.

An invoice for one half of the audit fee will be submitted at the start of field work and one for the remainder upon delivery of the audit report to the Town Council.

I appreciate the opportunity to be of service to the Town of Lakewood Village and believe this letter accurately summarizes the significant terms of my engagement. If you have any questions, please let me know. If you agree with the terms of my engagement as described in this letter, please sign the enclosed copy and return it to me.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Wayne Nabors", written over a horizontal line.

Nabors CPA Services, P.C.

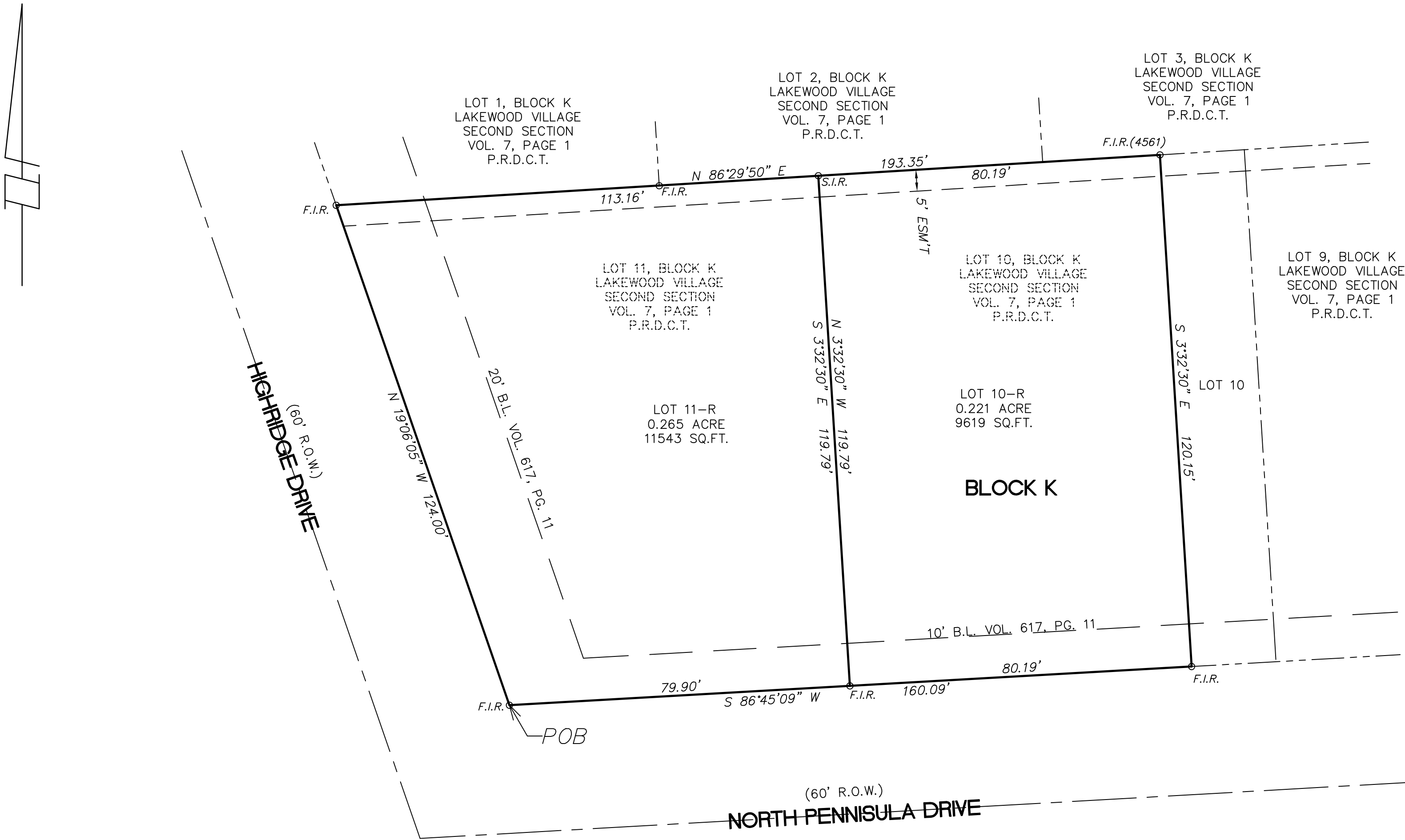
RESPONSE:

This letter correctly sets forth the understanding of Town of Lakewood Village.

By: _____

Title: _____

Date: _____



OWNER'S CERTIFICATE AND DEDICATION
STATE OF TEXAS
COUNTY OF DENTON: WHEREAS WE, O'Homes LLC, are the owners of that certain lot, tract, or parcel of land situated in the William Lofton Survey Abstract Number 705 in the Town of Lakewood Village, Denton County, Texas, being all of Lot 11 and a part of Lot 10, Block K, Lakewood Village Second Section, an addition to the Town of Lakewood Village, Denton County, Texas according to the plat thereof recorded in Volume 7, Page 1, Plat Records, Denton County, Texas, and being more particularly described as s follows:

BEGINNING at an iron rod found for corner in the north line of North Peninsula Drive, a public roadway having a right-of-way of 60.0 feet and in the east line of Highridge Drive, a public roadway having a right-of-way of 60.0 feet said point being the southwest corner of said Lot 11;

THENCE N 19° 06' 05" W, 124.00 feet with said east line of said Highridge Drive to an iron rod found for corner, said point being the southwest corner of Lot 1 in said Block K of said Lakewood Village Second Section;

THENCE N 86° 29' 50" E, 193.35 feet with the south line of Lots 1, 2 and 3 in said Block K to a capped iron rod marked RPLS 4561 found for corner;

THENCE S 03° 32' 30" E, 120.15 feet to an iron rod found for corner in said north line of said North Peninsula Drive;

THENCE S 86° 45' 09" W, 160.09 feet with said north line of said North Peninsula Drive to the PLACE OF BEGINNING and containing 0.486 acre of land.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS THAT We, the aforesaid do hereby adopt this plat designating the herein above tract as LOTS 10-R, AND 11-R, BLOCK K, LAKEWOOD VILLAGE SECOND SECTION, being a replat of Lot 11 and a part of Lot 10, Block K of Lakewood Village Second Section, an addition to the City of Lakewood Village, Denton County, Texas, and do hereby dedicate to the public use forever all utility easements, drainage easements, and streets as shown hereon. All and any public utilities shall have the full right to remove and keep removed all growths which may endanger or interfere with the construction, maintenance, or efficiency of its respective system on the utility easement for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at anytime of procuring the permission of anyone.

WITNESS MY HAND this ____ day of _____, 2017

Ablodun Emmanuel Ogbemudia, Owner, O'Homes LLC

STATE OF TEXAS
COUNTY OF DENTON:
THIS instrument was acknowledged before me on _____, 2017 Ablodun Emmanuel Ogbemudia.

NOTARY PUBLIC
STATE OF TEXAS
My commission expires _____

CERTIFICATE OF APPROVAL

By the Town Council, Town of Lakewood Village
Dated this _____ day of _____ A. D. 2017

Mayor, Town of Lakewood Village

ATTESTED

Town Secretary

CERTIFICATE OF SURVEYOR

I, the undersigned, a registered professional land surveyor in the State of Texas, do hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

Jerald D. Yensan
Registered Professional Land Surveyor No. 4561

OWNER/DEVELOPER
O' HOMES LLC
P.O. BOX 261906
PLANO, TX 75026
469-888-1886
469-444-1962

SURVEYOR
LANDMARK SURVEYORS
4238 I-35 N
DENTON, TEXAS 76207
(940) 382-4016

FINAL PLAT
LOT 10-R AND LOT 11-R, BLOCK K OF
LAKEWOOD VILLAGE, SECOND SECTION
BEING A REPLAT OF LOT 11 AND PART OF LOT 10,
BLOCK K OF LAKEWOOD VILLAGE, SECOND SECTION
BEING 0.486 ACRE IN THE WM. LOFTIN SURVEY A-750
TOWN OF LAKEWOOD VILLAGE
DENTON COUNTY, TEXAS

4238 I-35 NORTH
DENTON, TEXAS 76207
(940) 382-4016
LANDMARK SURVEYORS, L.L.C. FAX (940) 387-9784
TX FIRM REGISTRATION NO. 10098600

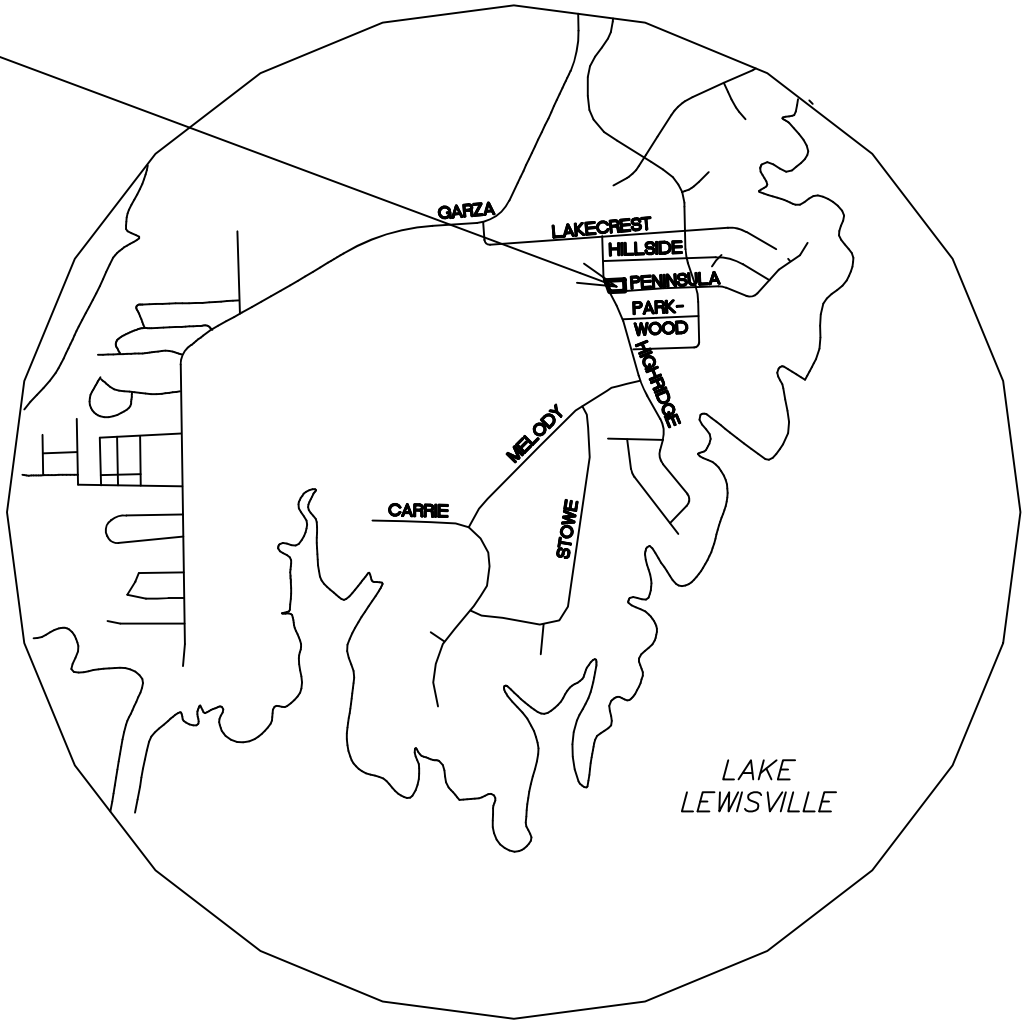
DRAWN BY: SLB SCALE: 1"=20' DATE: 29 SEPTEMBER, 2017 JOB NO: 174163

- NOTES:
1. PLAT WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THEREFORE, THERE MAY EXIST ENCUMBRANCES WHICH AFFECT THE PROPERTY NOT SHOWN HEREON.
 2. Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983, as determined from GPS observations.

LEGEND
B.L. = BUILDING LINE
D.E. = DRAINAGE EASEMENT
F.I.R. = FOUND IRON ROD
S.I.R. = SET IRON ROD



VICINITY MAP
SCALE 1" = 2000'



PROJECT LOCATION

LAKEWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

OCTOBER 12, 2017

Council Members:

Dr. Mark Vargus, Mayor
Ed Reed – Mayor Pro-Tem
Clint Bushong
Gary Newsome
Dan Tantalo
Elizabeth Shields

Town Staff:

Linda Asbell, TRMC, 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 7:05 p.m. on Thursday, October 12, 2017, 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 fence ordinance. Mayor Vargus opened the public hearing at 7:02 p.m. Mayor Vargus invited questions from the audience. No one requested to speak.

MOTION: Upon a motion made by Councilman Bushong and seconded by Mayor Pro-Tem Reed, council voted five (5) “ayes”, no (0) “nays” to close the public hearing at 7:03 pm. *The motion carried.*

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PUBLIC HEARING:

(Agenda Item D)

A public hearing was held to provide an opportunity for citizens to comment on the proposed investment ordinance. Mayor Vargus opened the public hearing at 7:03 p.m. Mayor Vargus reported that the State requires municipalities to have an investment policy and investments are regulated under the Public Funds Investment Act. Mayor Vargus invited questions from the audience. Brent Ashton, 829 Carrie Lane, asked what percentage of excess funds are going to be invested. Mayor Vargus reported that the Town Council will discuss and decide that amount. Councilman Tantalo stated that the policy will include controls.

MOTION: Upon a motion made by Councilman Newsome and seconded by Councilman Bushong, council voted five (5) “ayes”, no (0) “nays” to close the public hearing at 7:26 pm. *The motion carried.*

REGULAR AGENDA:

(Agenda Item E)

**Consideration of Simple Recycling Program
(Asbell)**

(Agenda Item E.1)

Town Secretary Linda Asbell introduced Mr. Keith Kahn with Simple Recycling. Mr. Kahn reviewed the program, stating there is no cost to the town or the citizens. The company will prepare a mailing using the town logo and will distribute two collection bags. Citizens will place items inside the bag and set the bag out at the street on the same day as normal recycling is collected. Mr. Kahn reviewed the distribution of the items collected. Simple Recycling asks that the town assist with awareness campaigns. There was some discussion about the investment the company makes into sending out the mailers and the length of the contract. There was some discussion about the possibility of including the extraterritorial jurisdiction. Simple Recycling will pay the town \$20/ton of collected materials. The funds could be used for any purpose. Some municipalities use the funds beautification. There was some discussion about the terms of the contract and frequency of collection. There was some discussion about preventing individuals from picking up the orange bags before Simple Recycling trucks collect the bags. There was some discussion about centralized collection versus individual address collection.

MOTION: Upon a motion made by Councilman Bushong and seconded by Councilman Newsome, council voted five (5) “ayes”, and no (0) “nays” to authorize the Mayor to execute the contract with Simple Recycling as presented. *The motion carried.*

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**Discussion of Findings of the Capital
Improvement Advisory Committee, Darrell
West, CIAC Member (Bushong)**

(Agenda Item E.2)

Mayor Vargus introduced Mr. Darrell West, Mr. Danny Cook, and Councilman Gary Newsome and thanked them for their service on the Capital Improvement Advisory Committee. Mr. West reported that the committee is an advisory group that has met with the Town Engineer. Mr. West reported that the board recommends the maximum allowable fees be adopted. Councilman Tantalo requested to see the information the committee received from the Engineer. There was some discussion about the standard procedure for adopting impact fees. There was some discussion about on-site versus off-site costs.

**Consideration of Investment Ordinance
(Vargus)**

(Agenda Item E.3)

**Consideration of Resolution Authorizing
Participation in TexPool Investment Pools
(Vargus)**

(Agenda Item E.4)

Council discussed both agenda items concurrently.

Mayor Vargus reported that he incorporated most of the changes proposed by Councilman Tantalo. Mayor Vargus reviewed the language added on controls. There was some discussion about where the funds were invested and council adoption of limits.

Jerry Landrum, Vice President Federated Securities Corporation, reported that they hold the contract for the State to invest funds in TexPool. Mr. Landrum reported that the investment policy the council is considering mirrors the requirements of the State. Mr. Landrum stated that most entities designate an investment officer, either by title or individual. The town will assign authorized representatives to act on the Town's behalf. TexPool requires two signatures for transactions. TexPool is regulated by the State of Texas and is extremely structured. The state of Texas created the pool in 1989, is currently holding 19 billion dollars and, approximately half of Texas municipalities participate in the pool. The state of Texas, in 1987, outlined a specific list of authorized investments. Mr. Landrum stated that he is surprised by exceptionally low \$10,000 limit being considered by the council. Mr. Landrum stated TexPool requires a minimum of three people be authorized on the account. Every transaction is tracked by a PIN number tied to a specific person. Mr. Landrum reported that it is standard practice for a single investment officer to be named by the council. There was some discussion about fees/costs associated with investments. Mr. Landrum reported that TexPool investments offer daily liquidity. Mayor Vargus reported on the interest rates offered by Point Bank versus the rate of return available by participating in TexPool.

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Council discussion returned to the investment policy. Mayor Vargus reviewed the investment policy and the acceptable investment instruments.

MOTION: Upon a motion made by Mayor Pro-Tem Reed and seconded by Councilman Newsome, council voted three (3) “ayes”, two (2) “nays” (Tantalo, Shields) to approve the investment ordinance as discussed. *The motion carried.*

Mr. Landrum reported that the State Comptroller’s office has to approve the town’s application to participate in the pool. There was some discussion about the authorized signers.

MOTION: Upon a motion made by Mayor Pro-Tem Reed and seconded by Councilman Bushong, council voted three (3) “ayes”, two (2) “nays” (Tantalo, Shields) to approve the resolution authorizing participation in TexPool Investment Pools. *The motion carried.*

**Consideration of Authorizing Expenditures
for Road Repairs (Newsome)**

(Agenda Item E.5)

Mayor Vargus reported that the town has a separate account for road repairs, the balance is currently approximately \$30,000. Mayor Vargus reported that a statement was made at the previous council meeting indicating that most of the asphalt repairs made by Walt’s Paving had failed. Mayor Vargus played a video that showed the current condition of the repairs made on Melody Lane and Carrie Lane. Mayor Vargus reported that four of the twenty-two repairs only a few had some damage that needed to be repaired. There was some discussion about the longevity of patches on asphalt roads and damage caused by construction equipment used by home builders. Councilman Newsome reported that Walt’s Paving will come back and repair the patches that have damage/wear. There was some discussion about the process used by the company making the repairs. There was some discussion about maintaining the asphalt roads until they can be replaced by the concrete roads. Council discussed having the warranty work being completed at the same time as additional patching done on the roads. Councilwoman Shields offered to contact a company she found at the Texas Municipal League conference. Councilwoman Shields reported that the company will come out and provide a free demonstration and submit a bid. There was some discussion about the company marking the areas they would repair. Mayor Pro-Tem Reed asked Councilman Newsome to partner with Councilwoman Shields so a valid comparison can be made between the services offered by the two repair companies.

MOTION: *No motion was made*

Consideration of Fence Ordinance (Vargus)

(Agenda Item E.6)

Mayor Vargus reported that the ordinance is unchanged from last month. Mayor Vargus reported that the primary concern is the provision regulating waterfront properties. Mr. Jeff Williams, 630 Highridge Drive, spoke about his property and view of the lake. Mr. Williams stated he has concerns that changes to this ordinance might change the view from his home. Mr. Williams stated that it is common across the State of Texas and the State of Minnesota (where he previously lived) to protect the views on lakeside communities. Mr. Williams provided a report he compiled based on a review of other lakeside communities' regulation of fences on waterfront properties. Mr. Williams stated that the current Lakewood Village ordinance is much more lenient than the ordinances of the majority of municipalities he found. Mr. Williams stated that he has some ideas he would like to propose to the council on the fence ordinance. There was some discussion about council reviewing Mr. Williams' report and considering options based on size of property. Mr. Sam Merrick, 434 Lakecrest Drive, reported on changes in views on oceanfront property in an area he comes from which negatively affected property values. Dr. Carl Menckhoff, 710 Stowe Lane, thanked Mr. Williams for a reasonable and well researched presentation. Dr. Menckhoff stated that he previously served on the Town Council and understands the council's job is to consider the entire town. Although he lives on the lake, and would like privacy, he believes more people would be negatively affected by permitting privacy fences on waterfront properties. Mayor Vargus reported he would bring an updated fence ordinance for council consideration at the next meeting.

MOTION: *No motion was made*

Discussion of Dark Skies Initiative (Reed)

(Agenda Item E.7)

Mayor Pro-Tem Reed thanked Councilman Bushong for adding Dark Skies information to the town website. Mayor Pro-Tem Reed encouraged citizens to review the information posted and invited citizens interested in the Dark Skies Initiative to contact him to participate in this effort.

**Consideration of Ordinance Regulating
Wireless Network Facilities Within the
Public Right-of-Way (Asbell)**

(Agenda Item E.8)

Town Secretary Linda Asbell reported that no changes have been made to the ordinance since council reviewed it last month. Council thanked Mr. Chad Maddison for reviewing the law and Town Secretary for the research she put into creating the ordinance and design manual. There was some discussion about proposed part numbers to be included in a design manual and proposing changes at a future council meeting.

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MOTION: Upon a motion made by Councilman Tantalo and seconded by Councilman Newsome, council voted five (5) “ayes”, no (0) “nays” to approve the ordinance regulating management of the rights-of-way as presented. *The motion carried.*

**Discussion of Finance and Audit Committee
(Shields)**

(Agenda Item E.9)

Councilwoman Shields reported that she and Councilman Bushong will attend the next City of Corinth Finance and Audit Committee meeting. Councilwoman Shields invited interested citizens to attend the meeting with her on October 18th at 2:00.

**Discussion of Wastewater Plant Master Plan
(Vargus)**

(Agenda Item E.10)

Mayor Vargus reported that he and Councilman Bushong have begun work on the layout for the expansion of the wastewater plant. Mayor Vargus reported that CoServ has been very responsive about addressing the changes necessary to their power equipment. There was some discussion about creating the scope of the project and creating a master plan for the area and prioritizing the capital projects. Information will be provided to council as the plan is developed.

**Discussion Year End Financial Review
(Tantalo)**

(Agenda Item E.11)

Councilman Tantalo read Local Government Code § 102.009 and stated that council cannot spend funds over budget without amending the budget. Mr. Brent Ashton, 829 Carrie Lane, stated that he sued Mark Vargus as a resident and neighbor but the lawsuit was changed to include the town. Mr. Ashton stated that he dismissed the suit because he did not want to sue the town and the case included a gag order that he did not want to abide by. Mr. Ashton asked if the council is okay with the town spending money on the town attorney for a private lawsuit. Mayor Vargus reported that when he received documents notifying him that Mr. Ashton filed suit he submitted them to the town’s insurance carrier, Texas Municipal League. Texas Municipal League reviewed the lawsuit and determined that it was related to town business and a covered event. Mayor Vargus reported that it was assigned to a Texas Municipal League attorney and at that point Texas Municipal League and the attorney made the decisions.

Councilman Tantalo reviewed the legal fees line item on the budget. Councilman Tantalo reported that there are several items on the budget that have been exceeded. Councilman Tantalo stated that he is concerned that there is either a disregard for the limits or an uninformed spending. Mayor Vargus reviewed the budget process and reported on the difference between

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OCTOBER 12, 2017**

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expenditures and expenses. Mayor Vargus provided a breakdown of the legal budget line. Of the \$41,795 total, \$3,907 was incurred by the MDD, \$1,990 was for impact fees, and \$10,664 was from the prior fiscal year that was paid in this year, which results in \$25,234 expenses for this current year. There was some discussion about the reports being on a cash basis and the audit being on the accrual basis. Councilwoman Shields stated that “reclass” of expenses should be done monthly. Mayor Vargus reported that numbers being reviewed on these reports are unaudited and the auditor will do the accruals. Councilman Tantalo stated that the budget must be amended before the budget is exceeded. Mayor Vargus reviewed the General Fund operating revenues versus operating budget and the General Fund operating expenses versus operating budget. Mayor Vargus reported that previous councils included reserve funds in the budget but decided against continuing that policy when reserve funds began to grow. There was some discussion about the responsibilities of the Mayor to bring a budget to council however, it is up to the council to bring a budget amendment. Mayor Vargus reported on the emergency sewer repairs. Councilman Tantalo reviewed the law on public necessity and emergency. Mayor Vargus reported on the individual projects that council voted to approve which took expenses over budget. Councilman Tantalo stated that there is no credibility to the financial report. Mayor Vargus reported on the lawsuit filed by Brent Ashton and why it was considered a covered event by Texas Municipal League insurance.

EXECUTIVE SESSION:

(Agenda Item F)

At 10:32 p.m. Mayor Vargus recessed into executive session in accordance with Texas Government Code, Section 551.001, et seq., the Town Council will recess into Executive Session (closed meeting) to discuss the following: (1) §551.071(2): Consultation with 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; (2) §551.087: To discuss or deliberate regarding commercial or financial information that the Town of Lakewood Village has received from a business prospect that the Town seeks to have locate, stay, or expand in or near the territory of the Town of Lakewood Village and with which the Town is conducting economic development negotiations; and/or to deliberate the offer of a financial or other incentive to the business prospect.; and (3) § 551.072 Texas Government Code to wit: deliberations about real property

RECONVENE:

(Agenda Item G)

Mayor Vargus reconvened the regular session of the Lakewood Village Town Council at 10:45 p.m.

**LAKEWOOD VILLAGE TOWN COUNCIL
REGULAR SESSION
OCTOBER 12, 2017**

Page 8

**Consideration of Minutes of September 14,
2017 Council Meeting (Asbell)**

(Agenda Item E.12)

Councilman Tantalo stated he would like the exchange with Mr. Gowing included in the minutes. There was some discussion about what items are included in the minutes. There was some discussion about action minutes.

MOTION: Upon a motion made by Mayor Pro-Tem Reed and seconded by Councilman Bushong, council voted four (4) “ayes”, one (1) “nay” (Tantalo) to approve the minutes of the September 14, 2017 council meeting as presented. *The motion carried.*

COUNCIL AND STAFF COMMENTS

(Agenda Item H)

Town Secretary Linda Asbell reminded everyone of the community event this Saturday celebrating the 40th anniversary of the Town of Lakewood Village.

ADJOURNMENT

(Agenda Item I)

MOTION: Upon a motion made by Councilman Bushong and seconded by Councilwoman Shields council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Meeting of the Lakewood Village Town Council at 10:52 p.m. on Thursday, October 12, 2017. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 9th day of November 2017.

APPROVED

Ed Reed
MAYOR PRO-TEM

ATTEST:

Linda Asbell, TRMC, CMC
TOWN SECRETARY

Related Party Questionnaire

November 03, 2017

Mayor Mark Vargus
831 Carrie Lane
Lakewood Village, TX 75068

- 1) Have you or any related party of yours had any material interest, direct or indirect, in any of the following transactions or pending transactions since October 1, 2016 to which the Town of Lakewood Village was, or is to be, a party?

	YES	NO
Sale, purchase, exchange, or leasing of property?	_____	_____
Receiving or furnishing of goods, services, or facilities?	_____	_____
Transfer or receipt of income or assets?	_____	_____
Maintenance of bank balances as compensating balances for the benefit of another?	_____	_____
Other transactions?	_____	_____

- 2) Have you or any related party of yours been indebted to or had a receivable from the Town of Lakewood Village at any time since October 1, 2016? Please exclude amounts due for ordinary travel and expense advances.

___ Yes ___ No

- 3) Have you or any related party of yours had any material interest, direct or indirect, in any transactions since October 1, 2016, or in any pending or incomplete transactions, to which any pension, retirement, savings, or similar plan provided by the Town of Lakewood Village was, or is to be, a party? Do not include payments to a plan or payments by the plan made pursuant to the terms of the plan.

___ Yes ___ No

To: Nabors CPA Services, P.C.

The answers to the foregoing questions are correctly stated to the best of my knowledge and belief.

Date: _____

Signature: _____

Title: _____

Related Party Questionnaire

November 03, 2017

Mayor Pro-Tem Ed Reed
620 Melody Lane
Lakewood Village, TX 75068

- 1) Have you or any related party of yours had any material interest, direct or indirect, in any of the following transactions or pending transactions since October 1, 2016 to which the Town of Lakewood Village was, or is to be, a party?

	YES	NO
Sale, purchase, exchange, or leasing of property?	_____	_____
Receiving or furnishing of goods, services, or facilities?	_____	_____
Transfer or receipt of income or assets?	_____	_____
Maintenance of bank balances as compensating balances for the benefit of another?	_____	_____
Other transactions?	_____	_____

- 2) Have you or any related party of yours been indebted to or had a receivable from the Town of Lakewood Village at any time since October 1, 2016? Please exclude amounts due for ordinary travel and expense advances.

___ Yes ___ No

- 3) Have you or any related party of yours had any material interest, direct or indirect, in any transactions since October 1, 2016, or in any pending or incomplete transactions, to which any pension, retirement, savings, or similar plan provided by the Town of Lakewood Village was, or is to be, a party? Do not include payments to a plan or payments by the plan made pursuant to the terms of the plan.

___ Yes ___ No

To: Nabors CPA Services, P.C.

The answers to the foregoing questions are correctly stated to the best of my knowledge and belief.

Date: _____

Signature: _____

Title: _____

Related Party Questionnaire

November 03, 2017

Councilman Clint Bushong
331 Lakecrest Drive
Lakewood Village, TX 75068

- 1) Have you or any related party of yours had any material interest, direct or indirect, in any of the following transactions or pending transactions since October 1, 2016 to which the Town of Lakewood Village was, or is to be, a party?

	YES	NO
Sale, purchase, exchange, or leasing of property?	_____	_____
Receiving or furnishing of goods, services, or facilities?	_____	_____
Transfer or receipt of income or assets?	_____	_____
Maintenance of bank balances as compensating balances for the benefit of another?	_____	_____
Other transactions?	_____	_____

- 2) Have you or any related party of yours been indebted to or had a receivable from the Town of Lakewood Village at any time since October 1, 2016? Please exclude amounts due for ordinary travel and expense advances.

___ Yes ___ No

- 3) Have you or any related party of yours had any material interest, direct or indirect, in any transactions since October 1, 2016, or in any pending or incomplete transactions, to which any pension, retirement, savings, or similar plan provided by the Town of Lakewood Village was, or is to be, a party? Do not include payments to a plan or payments by the plan made pursuant to the terms of the plan.

___ Yes ___ No

To: Nabors CPA Services, P.C.

The answers to the foregoing questions are correctly stated to the best of my knowledge and belief.

Date: _____

Signature: _____

Title: _____

Related Party Questionnaire

November 03, 2017

Councilman Gary Newsome
765 Highridge Drive
Lakewood Village, TX 75068

- 1) Have you or any related party of yours had any material interest, direct or indirect, in any of the following transactions or pending transactions since October 1, 2016 to which the Town of Lakewood Village was, or is to be, a party?

	YES	NO
Sale, purchase, exchange, or leasing of property?	_____	_____
Receiving or furnishing of goods, services, or facilities?	_____	_____
Transfer or receipt of income or assets?	_____	_____
Maintenance of bank balances as compensating balances for the benefit of another?	_____	_____
Other transactions?	_____	_____

- 2) Have you or any related party of yours been indebted to or had a receivable from the Town of Lakewood Village at any time since October 1, 2016? Please exclude amounts due for ordinary travel and expense advances.

___ Yes ___ No

- 3) Have you or any related party of yours had any material interest, direct or indirect, in any transactions since October 1, 2016, or in any pending or incomplete transactions, to which any pension, retirement, savings, or similar plan provided by the Town of Lakewood Village was, or is to be, a party? Do not include payments to a plan or payments by the plan made pursuant to the terms of the plan.

___ Yes ___ No

To: Nabors CPA Services, P.C.

The answers to the foregoing questions are correctly stated to the best of my knowledge and belief.

Date: _____

Signature: _____

Title: _____

Related Party Questionnaire

November 03, 2017

Councilwoman Elizabeth Shields
439 Hillside Drive
Lakewood Village, TX 75068

- 1) Have you or any related party of yours had any material interest, direct or indirect, in any of the following transactions or pending transactions since October 1, 2016 to which the Town of Lakewood Village was, or is to be, a party?

	YES	NO
Sale, purchase, exchange, or leasing of property?	_____	_____
Receiving or furnishing of goods, services, or facilities?	_____	_____
Transfer or receipt of income or assets?	_____	_____
Maintenance of bank balances as compensating balances for the benefit of another?	_____	_____
Other transactions?	_____	_____

- 2) Have you or any related party of yours been indebted to or had a receivable from the Town of Lakewood Village at any time since October 1, 2016? Please exclude amounts due for ordinary travel and expense advances.

___ Yes ___ No

- 3) Have you or any related party of yours had any material interest, direct or indirect, in any transactions since October 1, 2016, or in any pending or incomplete transactions, to which any pension, retirement, savings, or similar plan provided by the Town of Lakewood Village was, or is to be, a party? Do not include payments to a plan or payments by the plan made pursuant to the terms of the plan.

___ Yes ___ No

To: Nabors CPA Services, P.C.

The answers to the foregoing questions are correctly stated to the best of my knowledge and belief.

Date: _____

Signature: _____

Title: _____

Related Party Questionnaire

November 03, 2017

Councilman Dan Tantalo
710 Carrie lane
Lakewood Village, TX 75068

- 1) Have you or any related party of yours had any material interest, direct or indirect, in any of the following transactions or pending transactions since October 1, 2016 to which the Town of Lakewood Village was, or is to be, a party?

	YES	NO
Sale, purchase, exchange, or leasing of property?	_____	_____
Receiving or furnishing of goods, services, or facilities?	_____	_____
Transfer or receipt of income or assets?	_____	_____
Maintenance of bank balances as compensating balances for the benefit of another?	_____	_____
Other transactions?	_____	_____

- 2) Have you or any related party of yours been indebted to or had a receivable from the Town of Lakewood Village at any time since October 1, 2016? Please exclude amounts due for ordinary travel and expense advances.

___ Yes ___ No

- 3) Have you or any related party of yours had any material interest, direct or indirect, in any transactions since October 1, 2016, or in any pending or incomplete transactions, to which any pension, retirement, savings, or similar plan provided by the Town of Lakewood Village was, or is to be, a party? Do not include payments to a plan or payments by the plan made pursuant to the terms of the plan.

___ Yes ___ No

To: Nabors CPA Services, P.C.

The answers to the foregoing questions are correctly stated to the best of my knowledge and belief.

Date: _____

Signature: _____

Title: _____



VARIANCE REQUEST

100 Highridge Drive
Lakewood Village, TX 75068
(972) 294-5555 Office (972) 292-0812 Fax
linda@lakewoodvillagetx.us

BUILDING DEPARTMENT

REVISED: 10/09/2014

SUBMITTAL REQUIREMENTS

If the applicant is not the owner, a letter signed and dated by the owner certifying their ownership of the property and the authorizing the applicant to represent the person, organization, or business that owns the property.

If not platted, a metes and bounds legal description of the property.

A written statement documenting the reason for the variance(s), including evidence that the request complies with the following criteria as required for approval of a variance.

- 1) A unique physical condition exists within or adjacent to the subject tract or structure(s) located thereon which distinguishes it from other similarly situated, and which creates an exceptional hardship, difficulty, or inequity that would result from literal enforcement of the ordinance;
- 2) The condition or characteristic noted above is not caused by an action of the property owner, occupant, or applicant;
- 3) The variance is the minimum amount necessary to allow a reasonable use of the property;
- 4) The sole reason for the variance is not a desire of the owner, occupant, or applicant for increased financial gain or reduced financial hardship;
- 5) The variance will not adversely affect public health or safety, and will not substantially or permanently interfere with the appropriate use of adjacent conforming property in the same district; and,
- 6) The variance will not alter the essential character of the zoning district within which the subject property is located, and is in harmony with the intent and purposes of the zoning ordinance.

Site plan, submitted on drawing sheet size 11" X 17", showing:

- 1) Scale and north arrow;
- 2) Location of site with respect to streets and adjacent properties;
- 3) Property lines and dimensions;
- 4) Location and dimensions of buildings;
- 5) Building setback distances from property lines;
- 6) Location, dimensions, and surface type of off-street parking spaces and loading areas; and
- 7) Any other proposed features of the site which are applicable to the requested variance.

NOTICE

To the best of my knowledge, this application and associated documents are complete and correct, and it is understood that I or another representative should be present at all public meetings concerning this application.

Applicant Signature

Date

Mike Baatman

10-24-17

**BUILDING DEPARTMENT****VARIANCE REQUEST**

100 Highridge Drive
Lakewood Village, TX 75068
(972) 294-5555 Office (972) 292-0812 Fax
linda@lakewoodvillagetx.us

REVISED: 10/09/2014

APPLICANT / OWNER

Applicant Name	Address
Mike Baalman	412 Hillside Dr Lakewood Village
Day Time Telephone	
214-325-2185	
Email	
michaelbaalman@yahoo.com	
Owner Name	Address
Same as Applicant? <input checked="" type="checkbox"/> Yes	
Baalman Construction LLC	
Day Time Telephone	
Same	
Email	
Same	

PROPERTY

Address or General Location	
418 Hillside Dr Lakewood Village	
Legal Description (If Platted)	
Lot 5 Block F	
Lot Size <input checked="" type="checkbox"/> Square Feet OR <input type="checkbox"/> Acres	Zoning Classification
7586	
Existing Use of Land and/or Building(s)	
Empty Lot	

REQUESTED VARIANCE

Variance to Section(s) of the Ordinance
Garage door set Back and Garage size.
Current Ordinance Requirement(s)
28' Garage door side yard set back. Lot will only allow 23'4"
Min Garage 25' X 22' Lot will only allow 22'4" x 21'3"
Requested Variance(s)
The lot size will only allow 23'4" garage door side set back.
In order to get the house to fit on the lot max garage size 22'4"x21'3"



BUILDING DEPARTMENT

VARIANCE REQUEST

100 Highridge Drive
Lakewood Village, TX 75068
(972) 294-5555 Office (972) 292-0812 Fax
linda@lakewoodvillagetx.us

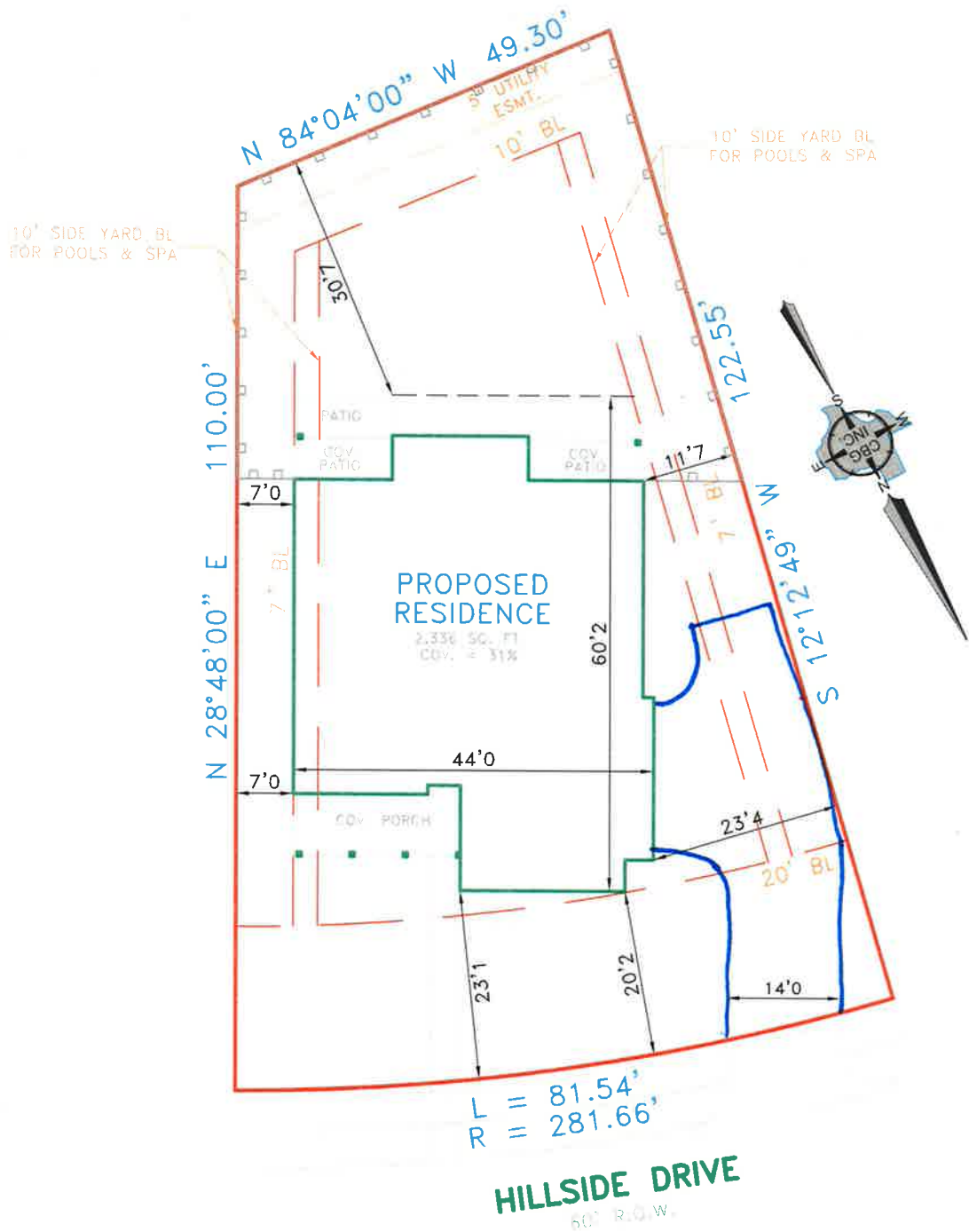
REVISED: 10/09/2014

TOWN USE ONLY

Received By	Receipt Number
Date Submitted	Case Number
Date Notices Mailed	Date Notice Published
Town Council Meeting Date	
Decision	
Conditions	

THE PLOT PLAN INDICATES THE APPROXIMATE LOCATION OF THE HOME ON THE LOT AND PROPERTY BOUNDRIES. LOCATION AND QUANTITY OF FENCING, PLATWORK, SOD, ETC. IS SUBJECT TO CHANGE DUE TO SITE CONDITIONS, EASEMENTS AND/OR MUNICIPALITY REQUIREMENTS.

PLOT PLAN



418 HILLSIDE DRIVE
LOT 5, BLOCK F
LAKEWOOD VILLAGE SECOND SECTION
LAKEWOOD VILLAGE, TEXAS

STRUCTURAL OPTIONS
• NO OPTIONS
• None
• None

SCALE: 1" = 20'

DRAWING IS BASED ON RECORDED PLAT DATED APRIL 1967

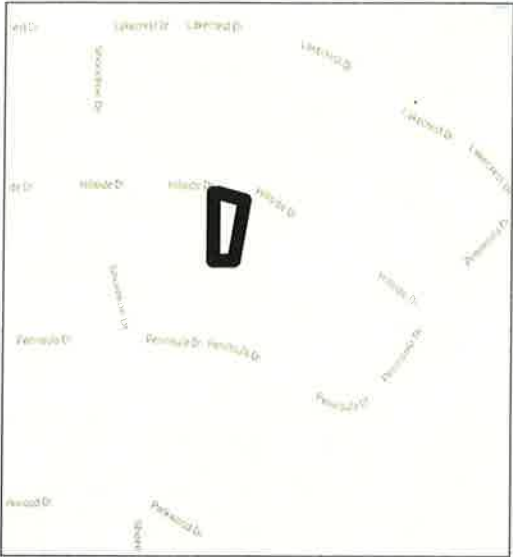
SOD REAR:	247	SQ. YD.
FRONT & SIDES:	278	SQ. YD.
TOTAL SOD:	525	SQ. YD.
PATIO:	-	SQ. FT.
LEAD WALK:	99	SQ. FT.
CITY WALK:	272	SQ. FT.
DRIVEWAY:	809	SQ. FT.
APPROACH:	161	SQ. FT.
TOTAL:	1,341	SQ. FT.
FENCE:	161	LN. FT.
FENCE:	-	LN. FT.
LOT:	7,586	SQ. FT.

RETAINING WALL
PER GRADING PLAN
FENCE

NOTE: BUILDER TO VERIFY
ALL INFORMATION LISTED
CBC SURVEYING
Firm No. 10168800
(214) 349-9485
DRAWN BY: AMF
JOB# 1723217
DATE: 10/11/17



HILLSIDE RESIDENCE
HILLSIDE DRIVE LOT 5 BLOCK F
LAKEWOOD VILLAGE, TX



4SIDE
STUDIO

RESIDENTIAL DESIGNER
JOHNNY LIMONES
214.515.2106
johnnylimones@yahoo.com

SHEET INDEX	
#	SHEET NAME

A0.1	COVER SHEET/ INDEX
A0.2	PROJECT NOTES
A0.3	SCHEDULES
A1.1	SITE PLAN
A2.1	FOUNDATION PROFILE
A2.2	1ST FLOOR PLAN
A2.3	2ND FLOOR PLAN
A2.4	2ND FLOOR FRAMING PLAN
A3.1	1ST FLOOR RCP
A3.2	2ND FLOOR RCP
A3.3	1ST FLOOR HVAC
A3.4	2ND FLOOR HVAC
A4.1	ROOF PLAN
A4.2	ROOF FRAMING PLAN
A5.1	EXTERIOR ELEVATIONS
A5.2	EXTERIOR ELEVATIONS
A6.1	SECTIONS

NOTE:
PERSPECTIVES ARE CONCEPTUAL AND DO NOT SHOW
FINAL PRODUCT.

HILLSIDE RESIDENCE
HILLSIDE DRIVE LOT 5 BLOCK F
LAKEWOOD VILLAGE, TX

COVER SHEET/
INDEX

A0.1

Project # 170809
Scale

HILLSIDE RESIDENCE
HILLSIDE DRIVE LOT 5 BLOCK F
LAKEWOOD VILLAGE, TX

EXTERIOR
ELEVATIONS

A5.1

Project # 170809
Scale 3/16" = 1'-0"

COMPOSITION SHIGLE ROOF,
TYP.

?

T.O.P. 2ND
19'-6"

9'-0"

2ND FLOOR
ROOF BASE
10'-0"
T.O.P. 1ST
9'-0"

9'-0"

T.O. C. 1ST FLOOR
0'-0"

02 REAR ELEVATION
3/16" = 1'-0"

CEMENTITIOUS SIDING

12"
6"

12"
6"

12"
12"

12"
12"

T.O.P. 2ND
19'-6"

9'-0"

2ND FLOOR
ROOF BASE
10'-0"
T.O.P. 1ST
9'-0"

9'-0"

OVERALL HEIGHT
22'-11"

CEMENTITIOUS SIDING

COMPOSITION SHIGLE ROOF
BRICK VENEER

D
C

C

C

5

C

C

C

01 FRONT ELEVATION
3/16" = 1'-0"

T.O. C. 1ST FLOOR
0'-0"



RESIDENTIAL DESIGNER
JOHNNY LIMONES
214.515.2106
johnnylimones@yahoo.com

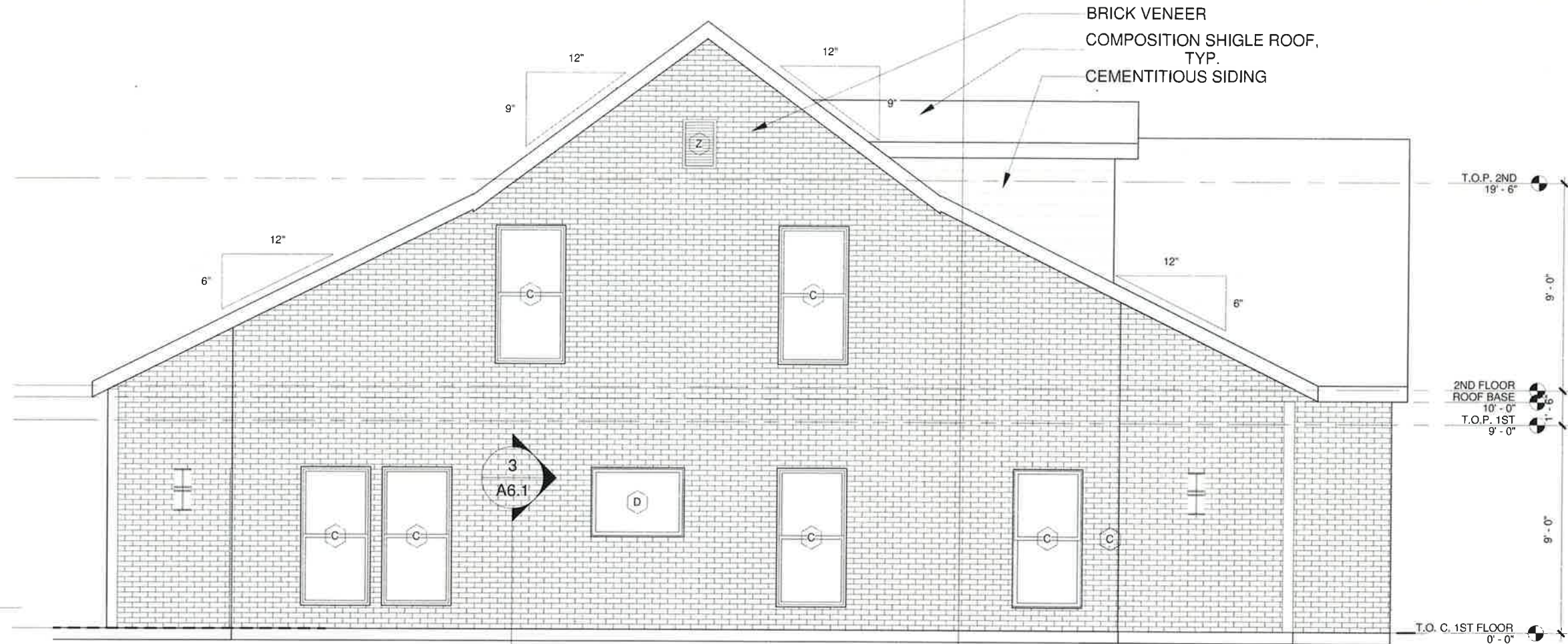
HILLSIDE RESIDENCE
HILLSIDE DRIVE LOT 5 BLOCK F
LAKEWOOD VILLAGE, TX

EXTERIOR
ELEVATIONS

A5.2

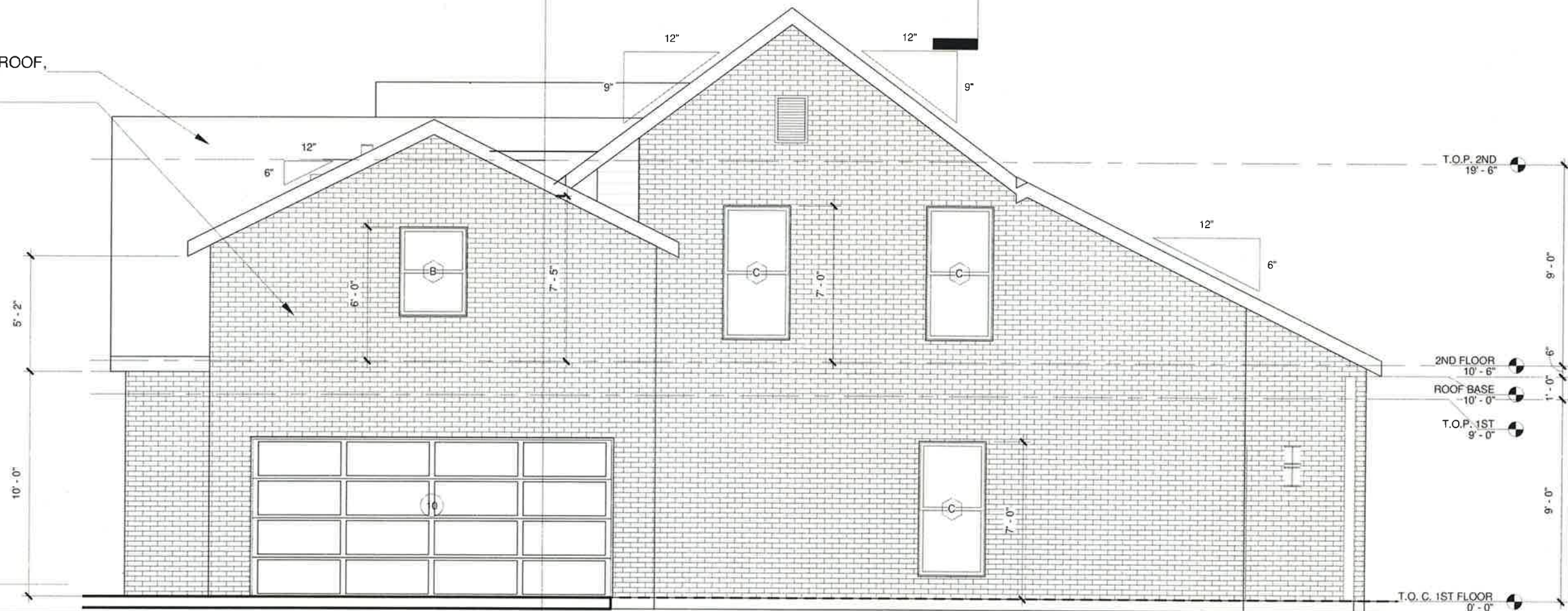
Project # 170809
Scale 3/16" = 1'-0"

02 LEFT ELEVATION
3/16" = 1'-0"



COMPOSITION SHIGLE ROOF,
TYP.
BRICK VENEER

01 RIGHT ELEVATION
3/16" = 1'-0"





MEMORANDUM

TO: Town Council
CC: Linda Asbell
FROM: Dr. Mark E. Vargus, Mayor
DATE: November 1, 2017
RE: Fence Ordinance Revisions

After our discussions and feedback from several councilmembers I have made two substantive changes to the Fence ordinance that we discussed at our last meeting. The changes are in **BOLD**.

First, I have included Clint's suggestion that approved materials must be new materials (for example you can't use old pallets and nail them together as a fence). Second, I have deleted the provision for solid fences for waterfront properties.

I look forward to your comments;

**TOWN OF LAKEWOOD VILLAGE
ORDINANCE 17-xx**

AN ORDINANCE REGULATING FENCES WITHIN THE TOWN OF LAKEWOOD VILLAGE; ESTABLISHING PERMITTED MATERIALS AND CONSTRUCTION STANDARDS; REQUIRING PERMITTING; REPEALING ORDINANCE 03-04; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Town of Lakewood Village, Texas in order to provide for the general health and welfare of the citizens in the Town is permitted to enact certain rules and regulations: and

WHEREAS, the Town of Lakewood Village, Texas has adopted a flood-loss prevention ordinance which sets standards for all structures built in the floodplain including fences;

NOW, THEREFORE BE IT ORDAINED by the Town Council of the Town of Lakewood Village, Texas:

Section 1 Findings

The Town Council finds that is in the best interest of it's citizens to set standards for construction of fences, including determining acceptable and unacceptable materials and locations.

Section 2 Definitions

Unless otherwise stated, terms shall be defined to be that normally accepted in common English vernacular.

FENCE means an enclosure constructed of permitted fence materials.

SIDE YARD is the area on each side of the property which extends from the rear property line to the front face of the dwelling adjacent to the particular side. The left side yard extends from the rear property line to the front of the left side of the dwelling and the right side is defined analogously.

FRONT YARD is the property between the front face of each side of the dwelling and the street right-of-way.

Section 3. Permitted Construction Material

- (1) Permitted construction material may be vinyl, wood (**excluding landscape timbers, railroad ties**), masonry, or chain link.
- (2) **Fences are to be constructed using new building materials. The use of reclaimed fence panels is prohibited.**

Section 4 Prohibited Construction

- (1) Fences not constructed of approved fence materials are prohibited. Prohibited construction materials are barbed wire, razor ribbon, sheet metal, **pallets or any other similar material.**
- (2) No fence shall be located within any easement except by prior written approval of the Town.
- (3) No fence can be constructed on the public right-of-way.
- (4) Electrical fences are prohibited. No fence erected shall be electrically charged.

Section 5 Height Restriction

- (1) No fence shall be constructed at a height exceeding eight (8) feet.
- (2) Front yard. No stockade or board on-board solid fence shall be permitted in the front yard. Fences cannot exceed three (3) feet in height.

Section 6 Special Provisions For Waterfront Properties

- (1) For any fence where any portion will be constructed in the floodplain, the property owner must submit construction plans along with written letters of approval from the US Army Corps of Engineers and the Lakewood Village Floodplain Administrator prior to the town issuing a permit.
- (2) Solid fences are not permitted in the floodplain.
- (3) ~~As a privacy screen, dwellings with pools and outdoor kitchens may construct a solid fence in the side yard, outside of the floodplain, for no more than fifty feet as measured from the rear of the dwelling. All poles and cross-members are to be on the inside of the fence.~~

(4) No solid (non see-through) fences such as masonry walls, stockade-type, and board on board are permitted. ~~in the front yard.~~

(5) Metal fences with masonry columns are permissible so long as the width of the fence (excluding the columns) is at least four times the width of the columns.

Section 7 Building Permit Required

A approved permit is required prior to construction for any fence exceeding two feet.

Section 8 Severability

It is hereby declared to be the intention of the Town Council that if any of the sections, paragraphs, sentences, clauses, and phrases of this ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance, since the same would be enacted by the Town Council without the incorporation of this ordinance of unconstitutional or invalid phrases, clauses, sentences, paragraphs, or sections.

Section 9 Penalty Clause

It shall be unlawful for any person to violate and provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not more than Five hundred Dollars (\$500.00), and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

Section 10 Repealer

Ordinance 03-04 is repealed.

Section 11 Effective Date

This Ordinance shall become effective from and after its date of adoption and publication as required by law.

PASSED and APPROVED this _____ day of _____, 2017.

Dr. Mark E. Vargus, Mayor

ATTEST:

Linda Asbell, Town Secretary



Memorandum

TO: Town Council
FROM: Clint Bushong
RE: Agenda G.4: 2017 Impact Fee Update

At the council meeting held on July 13th, 2017, the council unanimously approved updating the Impact Fee ordinance. Following the meeting, Kimely-Horn was tasked with creating the 2017 Impact Fee Study.

Summary of Changes

- On site (developed land) projects were removed
- Off site water plant – storage and booster pumps sized for fire flow on future developments
- Maps – Water and sewer lines removed from the on-site areas
- Number of connections were updated which resulted in an increased population estimate

The Capital Improvements Advisory Committee (CIAC) met with the Town Engineer on September 29th, 2017 to review the Impact Fee Report prepared by Kimely-Horn. At the council meeting held on October 12th, 2017, CICA member Darrell West presented the recommendation of adopting the updated fees in the 2017 Impact Fee Report.

Next steps

- A public hearing has been scheduled for the December 14th, 2017 meeting
- Kimely-Horn will be present at the December meeting to address questions
- Council will consider adoption of the 2017 Impact Fee Ordinance at the December meeting

2016 Report and Ordinance

<http://www.lakewoodvillagetx.us> > Government > Ordinances > Master Planning

Or

[2016 Impact Fee Report](#)

[2016 Impact Fee Ordinance](#)

2017 Report

<http://www.lakewoodvillagetx.us> > Home

Or

[2017 Impact Fee Report](#)

I'm looking forward to the discussion.

Clint Bushong

Potential CAPX Projects

		Approved Costs	Revised Costs
1. Fire Hydrant Installation	Install new hydrant and isolation valves on Parkwood at Shoreline. Parkwood is the only street in LWV with no fire hydrants.	\$10,000	\$8,000
2. Replace Stowe Lift Station	Build new lift-station, remove floats and install pressure switch controls, install 3-phase power converters, two new pumps. Old single-phase motors can be used on Carrie lift-station.	\$40,000	
	STOWE: Install pressure switches, upgrade controls, two new pumps, install remote monitoring system. CARRIE: Install new rails, cradle, upgrade control panel, install pedestal, paint		\$12,000
3. Sewer Plant Improvements	Repair and relocate west fence forward. Move storage building from water plant. Install metal awning over existing storage building. Make underground Coserv electrical improvements.	\$15,000	
3. Sewer Plant Improvements - Sewer Master Site Plan	Survey property, repair and relocate west fence forward. Install solid sliding gate. Work with Coserv for underground electrical and transformer relocates. Construct electrical pedestals for blowers. Construct new drying bed pad. Install metal awning over existing storage building. Improve facilities building.		\$30,000
Total Capital Improvements		\$65,000	\$50,000

Potential Town Projects

1. Town Hall Improvements	New front door - commercial grade, code compliant.	\$2,500	
2. Drainage Improvements	Replace driveway culvert at 335 Peninsula with oblong box culvert. Replace approach. Improve inlet that goes under Shoreline.	\$5,000	
3. Playground	Install new rubber surface Basketball Half Court Fence around playground	TBD	\$10,000 \$2,500

General Fund Revenues

		General Fund Revenues							
		BUDGET		Actual		BUDGET		FYE/Actual	
		2016		2016		2017		Amended Budget	
OPERATING REVENUES									
4000	Tax Income		\$210,000		\$210,347		\$218,800		\$220,467
	Debt Servicing (\$0.05)		\$42,000		\$42,105		\$43,800		\$46,113
4005	Sales Tax		\$28,000		\$30,007		\$30,000		\$38,672
4010	Interest		\$1,000		\$1,044		\$500		\$459
4101	Building Permits- New		\$30,000		\$25,001		\$30,000		\$32,581
4102	CO/CSI Inspections		\$2,500		\$3,750		\$3,000		\$2,400
4103	Contractor Registrations		\$600		\$1,025		\$600		\$1,275
4104	Sprinkler Permits		\$300		\$400		\$400		\$600
4105	Fence Permits		\$300		\$500		\$300		\$550
4106	Reinspect Fees		\$2,000		\$8,125		\$3,000		\$3,975
4107	Pool Permits		\$1,000		\$1,450		\$1,000		\$750
4108	Flatwork Permits		\$600		\$675		\$400		\$1,050
4109	Plumbing Permit		\$1,000		\$750		\$500		\$1,850
4110	Electrical Permits		\$1,000		\$1,475		\$1,000		\$775
4111	Replating Fees		\$0		\$250				\$250
4112	Building Permits - Remodel				\$4,875		\$2,500		\$2,325
4113	Miscellaneous Permits		\$500		\$1,950		\$1,000		\$2,925
4120	Preliminary Plat Fees		\$0		\$1,400				
4201	Franchise Fee		\$34,000		\$32,261		\$32,000		\$27,584
4202	Pet Registration				\$45				\$25
4204	Town Hall		\$100		\$50		\$100		\$100
4950	Miscellaneous Revenues		\$4,000		\$2,641		\$2,500		\$3,023
4207	Utility Fee for Services-LWV		\$38,000		\$38,000		\$38,000		\$36,000
4208	Utility Fee for Services-Rocky Pt		\$4,250		\$5,300		\$4,000		\$4,200
	Continuing Operations		\$401,150		\$413,426		\$413,400		\$427,949
4301	Code Enforcement				\$1,000				\$374
4302	Court Costs Fees								
4401	Mowing Abatement Fees		\$500		\$1,084				
4402	Lien Reciepts		\$1,000		\$6,888		\$2,000		\$23,434
4800	Asset Sales				\$9,081				\$108,499
4996	Extraordinary Item(Casualty)								\$27,052
4999	Reimbursement MDD								\$3,907
4800	Reimbursement UF								\$3,316
	TOTAL Revenues		\$402,150		\$431,479		\$415,400		\$594,531

25234 YTD

		<i>Utility Fund Revenues</i>				
		BUDGET	Actual		BUDGET	FYE/Actual
		2016	2016		2017	Amended Budget
<i>OPERATING REVENUES</i>						
	<i>Water Revenue</i>	\$150,000	\$147,433		\$154,000	\$149,460
	<i>Sewer Revenue</i>	\$104,000	\$102,550		\$102,000	\$106,505
	<i>Solid Waste</i>	\$46,000	\$44,562		\$46,000	\$47,417
	<i>Late Fees</i>	\$4,000	\$3,184		\$3,000	\$3,687
	<i>USACE - OLV</i>					\$9,000
	<i>Miscellaneous</i>	\$1,000	\$4,389		\$1,000	\$1,983
	<i>Water Tap Fees</i>	\$4,725	\$8,075		\$6,300	\$6,300
	<i>Meter Set Fees</i>	\$1,170	\$1,950		\$1,560	\$780
	<i>Sewer Tap Fees</i>	\$3,825	\$6,375		\$5,100	\$5,100
	<i>Interest</i>	\$600	\$907		\$600	\$315
	<i>MDD LOC Interest</i>		\$90		\$400	\$592
<i>TOTAL OPERATING FUNDS</i>		\$315,320	\$319,515		\$319,960	\$331,139
						3.5%

		Utility Fund Expenses				
		BUDGET	Actual			
		2016	2016		BUDGET	FYE/Actual
					2017	Amended Budget
Operating Expenses						
	Office Supplies	\$1,500	\$2,258		\$2,000	\$2,039
	Postage	\$1,800	\$1,653		\$2,000	\$1,022
	Insurance	\$4,600	\$4,928		\$5,200	\$5,137
	TCEQ Licensing Fees (Water)	\$500	\$484		\$500	\$588
	TCEQ Licensing Fees (Sewer)	\$1,250	\$3,565		\$1,250	\$1,250
	Fee for Administrative Services	\$38,000	\$38,000		\$38,000	\$36,000
	Software Licensing Fees	\$750	\$720		\$1,000	\$1,050
	Operator Salaries	\$36,600	\$36,600		\$42,200	\$40,800
	Solid Waste	\$42,000	\$41,131		\$42,000	\$41,291
	GIS Mapping		\$320			\$500
	Contract Labor		\$168			
	Sewer Scheduled Maintenance	\$1,000	\$3,800		\$3,000	\$7,490
	Water Scheduled Maintenance	\$1,000	\$1,680		\$2,000	\$4,752
	Laboratory (Sewer)	\$4,500	\$4,190		\$4,000	\$5,315
	Laboratory (Water)	\$500	\$535		\$600	\$1,167
	Water Repairs	\$10,000	\$1,725		\$10,000	\$5,612
	Sewer Repairs	\$10,000	\$19,345		\$10,000	\$44,503
	Meter Set Fee		\$1,500		\$1,560	\$2,077
	Sewer Tap Install		\$1,800			
	Water Equipment	\$2,000	\$7,757		\$4,000	\$11,377
	Sewer Equipment	\$1,000	\$4,172		\$4,000	\$1,333
	Chemicals (Water)	\$1,000	\$1,625		\$1,000	\$648
	Chemicals (Sewer)	\$800	\$211		\$200	\$1,206
	Electricity (Water)	\$17,000	\$14,739		\$15,000	\$17,301
	Electricity (Sewer)	\$21,000	\$17,160		\$18,000	\$14,540
	Payroll	\$8,000	\$14,597		\$16,000	\$17,339
	Contingency Fund	\$1,000	\$406		\$1,000	\$882
	Sludge Removal (Sewer)	\$1,200	\$0		\$600	\$600
TOTAL OPERATING EXPENSES		\$207,000	\$225,069		\$225,110	\$265,819
	Capital Improvements (Water)	\$51,000	\$92,063		\$70,000	\$40,257
	Capital Improvements (Sewer)					\$32,101
	Capital Improvements (Drainage)					\$9,604
	Capital Improvements (Woodcrest Site Prep)					\$16,274
	Engineer (impact fees)	\$30,000	\$67,000		\$40,000	\$37,162
	Attorney (impact fees)					\$1,990
TOTAL EXPENDITURES		\$207,000	\$225,069		\$335,110	\$403,207
		Operating Surplus			\$94,850	\$65,320