

**LAKEWOOD VILLAGE TOWN COUNCIL**

**COUNCIL MEETING**

**FEBRUARY 11, 2016**

**Council Members:**

Dr. Mark Vargus, Mayor  
Carl Menckhoff, M.D., Mayor Pro-Tem - ABSENT  
Clint Bushong  
Ray Duff  
Gary Newsome  
Ed Reed

**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 Session of the Town Council to order at 7:00 p.m. on Thursday, February 11, 2016, 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

**PUBLIC HEARING:**

**(Agenda Item B)**

A public hearing was held to provide an opportunity for citizen comment on the requested variance for garage size and garage door setback at 415 Peninsula. Mayor Vargus opened the public hearing at 7:03 pm.

Mayor Vargus provided information on the standards required and the variance requested.

No one requested to speak.

**MOTION:** Upon a motion made by Councilman Newsome and seconded by Councilman Duff, council voted four (4) “ayes” and no (0) “nays” to close the public hearing at 7:08 pm. *The motion carried.*

**PUBLIC HEARING:**

**(Agenda Item C)**

A public hearing was held to provide an opportunity for citizen comment on the requested variance for garage door setback at 320 Hillside. Mayor Vargus opened the public hearing at 7:08 pm.

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Mayor Vargus provided information on the standards required and the variance requested.

No one requested to speak.

**MOTION:** Upon a motion made by Councilman Reed and seconded by Councilman Duff, council voted four (4) “ayes” and no (0) “nays” to close the public hearing at 7:17 pm. *The motion carried.*

**VISITOR/CITIZENS FORUM:**

**(Agenda Item E)**

No one requested to speak

**REGULAR AGENDA:**

**(Agenda Item F)**

**Consideration of Variance for 415 Peninsula  
for Garage Size and Garage Door Setback  
(Asbell)**

**(Agenda Item F.1)**

Mayor Vargus provided information about the lot size and the requested variance.

**MOTION:** Upon a motion made by Councilman Duff and seconded by Councilman Newsome, council voted four (4) “ayes” and no (0) “nays” to approve the variance as requested. *The motion carried.*

**Consideration of Variance for 320 Hillside  
for Garage Door Setback (Asbell)**

**(Agenda Item F.2)**

**MOTION:** Upon a motion made by Councilman Bushong and seconded by Councilman Duff, council voted four (4) “ayes” and no (0) “nays” to approve the variance as requested. *The motion carried.*

**Consideration of Mailbox Construction  
Project (Vargus)**

**(Agenda Item F.3)**

Mayor Vargus reported on a meeting with CoServ about moving the guy wire supporting the electric pole that is in the way of the proposed location area for the mailboxes on Highridge. CoServ will only move the pole if the Town pays to cost of moving. The mailboxes must be carefully located between valves for the water system and existing electric pole. A pull-out lane

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will be constructed for vehicles stopping to collect mail. Mayor Vargus reported that the likely design will be reminiscent of the old covered bridges found in the New England area. There was some discussion on leaving the existing mailboxes and constructing the pull-out lane just beyond the current location. There was some discussion regarding other possible locations in town for mailboxes.

**MOTION:** *No motion was made.*

**Consideration of Minutes of January 14,  
2016 Council Meeting (Asbell)**

**(Agenda Item F.4)**

**MOTION:** Upon a motion made by Councilman Bushong and seconded by Councilman Newsome, council voted four (4) “ayes” and no (0) “nays” to approve the minutes of the January 14, 2016 meeting as presented. *The motion carried.*

**PUBLIC HEARING:**

**(Agenda Item D)**

A public hearing was held to provide an opportunity for citizen comment on the proposed Comprehensive Plan, including thoroughfare plan and future land use assumptions. Mayor Vargus opened the public hearing at 7:38 pm.

Mayor Vargus reported that he and Councilman Bushong are still working on finalizing the comprehensive plan. Mayor Vargus reported on the process of analyzing water consumption per property based on average density. One acre size properties uses five-times the amount of water than houses on one-third acre. There was some discussion on components of the comprehensive plan and how the town can forecast the infrastructure improvements that must be made. The comprehensive plan establishes goals that were accomplished within two years so new goals need to be established. Mayor Vargus reported that the draft comprehensive plan will be ready to be reviewed in the next month or two.

Danny Cook, 730 Carrie, stated that all residents could be contacted regarding the parks plan for only the cost of mailing, or council could use the survey boxes to distribute a survey to residents. Mayor Vargus stated that not all decisions can be made via surveys. Councilman Newsome stated that we have a representative form of government. Citizens elect people in whom they have confidence and let those people make their decisions. If Councilman Newsome is not confident that he knows the opinions of the people he represents he will go and talk to people. Mr. Cook stated that decisions must be made while weighing the opinions of the people most affected by those decisions. Councilman Bushong stated that he appreciates people that come to the council meetings and participate in the process. It is unfortunate that many of the people who are supportive of the trail do not come to the meetings. Mayor Vargus showed photo example of some natural trails that are representative of the types of trails the town is considering. Mayor

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Vargus stated that the specific design standards would be addressed in the future; this is a conceptual idea of what is being considered.

Mrs. Connie Elflett, 720 Carrie, stated that she feels safe living in Lakewood Village now because neighbors look out for each other. Providing trails and a park is providing a place for people to go to prey on others. There was some discussion regarding fencing along the trails and possible opportunities for citizens to participate in the design decisions.

Mr. Cook stated that clearing paths would allow access for anyone to use the trails. Mrs. Elflett stated that she wants to have input in the decision process. Mayor Vargus reported that there are approximately 660 people in town that would benefit but only a small group is opposed to the trail. The design process will try to consider the needs of all the citizens. Mayor Vargus reported that the town has required developers to put in green-space for the benefit of all citizens. The proposed location of the trail is on land that has limited use, and it ties in to the United States Army Corps of Engineers property which is available for public use. Mayor Vargus stated that the comprehensive plan provides a conceptual guideline for developers. Developers must meet the intent of the comprehensive plan elements like the roads, trails, parks. Mayor Vargus reported that this is the last opportunity for Lakewood Village to have green space and trails. If no trails or green-space goes in there will be no opportunity to go back and require developers to include these options for citizens.

Councilman Reed stated that not everyone is going to get what they want. The council will do everything they can to mitigate the concerns of citizens next to the trail. Councilman Reed stated that he knows of no plans to advertise or draw non-citizens to use the trail. He stated that he likely would not travel to a different city to use their trails and he does not believe that the Lakewood Village trails would attract

Mayor Vargus reported that he investigated the possibility of obtaining a grant to assist with building the trails. The grant writers reported that the larger the potential number of people using the trail the more likely it would be to qualify for a grant. Because Lakewood Village is not going to attempt to draw trail users from outside the town the chances of receiving a grant is not probable.

Janie Newsome stated that she appreciates what the council is doing and the trail makes more sense to her now. Mayor Vargus stated that the council is investigating options for protecting also interested in maintaining the wildlife population.

**MOTION:** Upon a motion made by Councilman Reed and seconded by Councilman Duff, council voted four (4) “ayes” and no (0) “nays” to close the public hearing at 8:25 pm. *The motion carried.*

**Discussion of Ordinance for Comprehensive  
Plan (Vargus)**

**(Agenda Item F.5)**

All discussion on the Comprehensive Plan was held during the Public Hearing.

**COUNCIL AND STAFF COMMENTS**

**(Agenda Item I)**

Mayor Vargus reported on changing the traffic flow in the parking area at town hall and the additional parking spaces that are being installed to accommodate voters that will be using Town Hall for the March primary.

Mayor Vargus reported that the Lakewood Village vs Bizios court case would be heard by the Texas Supreme Court on March 8th.

Councilman Reed reported on a meeting he had with the Town of Little Elm and Denton County regarding implementation of the winter road treatment plan. Kevin Mattingly, Town of Little Elm, offered to notify Lakewood Village when Little Elm activates their winter road treatment plan. This will assist Lakewood Village with timing the treatment of town roads.

Mayor Vargus reported on the possibility of cooperatively working with the Town of Little Elm to facilitate paving of roads in the Rocky Point water system area.

Councilman Newsome reported that the sale of the one-half lot owned by the Town is proceeding and expected to be finalized soon.

Councilman Newsome reported he spoke to citizens living in nine houses around town regarding the nature trail, eight supported the trail and the parks plan.

**EXECUTIVE SESSION:**

**(Agenda Item G)**

At 8:31 p.m. Mayor Vargus recessed into executive session in compliance with (1) § 551.071 Texas Government Code to wit: Consultation with the Town Attorney regarding pending or contemplated litigation, re: Town of Lakewood Village V. Harry Bizios; (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, (3) § 551.072 Texas Government Code to wit: deliberations about real property; and (4) § 551.087 Texas Government Code to wit: Economic Development Negotiations

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**RECONVENE:**

**(Agenda Item H)**

Mayor Vargus reconvened the regular session of the Lakewood Village Town Council at 9:11 pm.

**MOTION:** Upon a motion made by Councilman Bushong and seconded by Councilman Reed, council voted four (4) “ayes” and no (0) “nays” to authorize Mayor Vargus to purchase lot 5, Block R of Lakewood Village Section 3 for an amount not to exceed \$37,000. The motion carried.

**ADJOURNMENT**

**(Agenda Item J)**

**MOTION:** Upon a motion made by Councilman Reed and seconded by Councilman Newsome, council voted four (4) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lakewood Village Town Council at 9:30 p.m. on Thursday, February 11, 2016. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 10th day of March 2016.

APPROVED

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Dr. Mark E. Vargus  
MAYOR

ATTEST:

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Linda Asbell, TRMC  
TOWN SECRETARY