

LAKEWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

JUNE 11, 2015

Council Members:

Dr. Mark Vargus, Mayor
Carl Menckhoff, M.D., Mayor Pro-Tem - ABSENT
Clint Bushong
Dave Getka
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 7:03 p.m. on Thursday, June 11, 2015, in the Council Chambers of the Lakewood Village Town Hall, 100 Highridge Drive, Lakewood Village, Texas.

PRESENTATION OF COLORS AND PLEDGE TO THE FLAG: (Agenda Item A)

Boy Scout Troup 45 presented the colors and led the Pledge of Allegiance.

PRESENTATIONS: (Agenda Item B)

Town Secretary, Linda Asbell, administered the oaths of office and presented the certificates of election to Mayor Vargus, Councilman Getka, Councilman Reed, Councilman Newsome, and Councilman Bushong.

VISITOR/CITIZENS FORUM: (Agenda Item C)

No one requested to speak.

CONSENT AGENDA: (Agenda Item D)

1. Minutes of the May 14, 2015 Council Meeting (Asbell)
2. Resolution Naming the Little Elm Journal as the Official Newspaper (Asbell)

3. Interlocal Agreement with Denton County for the Collection of Ad Valorem Taxes (Asbell)

MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Bushong the Council voted four (4) “ayes” and no (0) “nays” to approve the consent agenda items as presented. *The motion carried.*

REGULAR AGENDA

(Agenda Item E)

**Consideration of Election of Mayor Pro-Tem
(Asbell)**

(Agenda Item E.1)

Mayor Vargus reported that every year after the election the Council selects a Mayor Pro-Tem.

MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Newsome the Council voted four (4) “ayes” and no (0) “nays” to elect current Mayor Pro-Tem Menckhoff to continue serving as Mayor Pro-Tem. *The motion carried.*

Council Discussed Agenda Item E.3.

**Discussion of Goals and Objectives for the
Municipal Development District (Vargus)**

(Agenda Item E.3)

Mayor Vargus reported that several positions are due for reappointment. He would like the council to discuss goals and objectives for the board to work toward.

Mayor Vargus reported that high priority for the MDD should be creating a master plan for the water system. Mayor Vargus reported that the ground storage tank and the pressure tank sizes need to be increased. The access road needs to be improved and the sanitary buffer zone needs to be addressed. There was some discussion about moving one of the ground storage tanks from Lakewood Village or purchasing a smaller tank. There was some discussion about providing direction to the Municipal Development District board members. Mayor Vargus reported that the MDD will finish repayment of the debt to the Town for the original purchase of the Rocky Point Water System. Dan Tantaló, President of the MDD, also reported that alternate power supplies should also be researched. There was some discussion about the possibility of acquiring additional water systems, there was also discussion about regular communication with the residents of the MDD.

**Discussion of Goals and Objectives for the
Economic Development Corporation
(Vargus)**

(Agenda Item E.2)

Mayor Vargus reported that the EDC operates like a “small projects fund”. There was some discussion about the minimum number of board members required. Council discussed enhancements to Witt Park. Bill Schoknecht, President of the EDC, expressed concern about maintenance responsibility for any improvements made. There was some discussion about inspiring community involvement. Councilman Getka reported that some shade covers or a sport court could be constructed at the Town Hall Park. Mayor Vargus reported that the EDC and the MDD both need to create budgets to be submitted to the Town Council.

**Discussion of Construction Issues Related to:
829 Carrie Lane, 428 Hillside Drive, and 635
Melody Lane (Vargus)**

(Agenda Item E.4)

Mayor Vargus reported that he communicates with many of the builders when there are problems in order to act as a buffer for the Building Inspector. Mayor Vargus reported that the property owner of 829 Carrie Lane originally submitted plans that had habitable space located inside the flood plain. Mayor Vargus stated the owner was required to submit an approved permit from the United States Army Corps of Engineers before his building permit for the town was released. Mayor Vargus reported on a driveway/garage entrance elevation issue. Mayor Vargus stated that the property now has a self-imposed hardship because the house is oriented in such a way that two of the three garage bays are inaccessible from the driveway due to the flood plain. Mayor Vargus also reported on an electrical compliance/safety issue which resulted in the electric meter being removed. Also, the building inspector discovered, during a courtesy inspection, that the entire house was wired with size 14AWG wiring which is prohibited.

Mayor Vargus reported on driveway issues at 428 Hillside. There have been discussions with the owner to correct ongoing issues. The driveway has been constructed four feet away from the property line. There was some discussion about the zoning requirements and the intention of restriction of flatwork within setbacks. There was some discussion about the building inspector providing an official opinion that the driveway as constructed does not constitute a life/health/safety concern which would allow the owner to receive a temporary certificate of occupancy to live in the home while in the process of requesting a variance from council.

Mayor Vargus reported that 635 Melody excavators mistakenly encroached on the neighboring property by 12 feet. There was some discussion about a meeting with the construction general contractor, Mayor Vargus, and Building Inspector Aussenbaugh. The builder, Our Country Homes, reported that they spoke to the neighboring property owners and made arrangements to correct the damages. Mayor Vargus reported that he spoke to the neighbors and discovered the contractor never contacted them and no arrangement has been made. The property has been

under red-tag for approximately two weeks. There was some discussion about the building process and anticipated problems that might occur during the construction process. Councilman Getka reported that he does not want to wait to the end of the construction process to make sure the neighboring property owner's damages are corrected. There was some discussion about the timing of the agreement to correct damages.

**Discussion of Fiscal Year 2015-2016 Budget
(Vargus)**

(Agenda Item E.5)

Mayor Vargus reviewed the preliminary proposed budget. Mayor Vargus reported that a capital improvement budget has not been created yet. There was some discussion about the fire hydrant installation that will take place on Hillside on June 12. Mayor Vargus reviewed the proposed general fund revenues and discussed the possible impact of properties protesting their valuations. Mayor Vargus reviewed the general fund expenses and discussed the bond payment debt servicing. There was some discussion about the Fire/EMS contract. There was some discussion about recovering the cost of ambulance runs when caused by a violation of a town ordinance (dog attack by dog-at-large). There was some discussion on the animal control contract. Mayor Vargus reviewed the Utility Fund revenues and expenditures. Mayor Vargus reported that year to date numbers are almost exactly in-line with this time last year. There was some discussion on the Road Maintenance Fund. Mayor Vargus reported on proposals on repairs to be made on Melody Lane.

**Consideration of Amending Fee Ordinance
Related to Utility Rates (Vargus)**

(Agenda Item E.6)

Mayor Vargus reported that the garbage rates will increase approximately 3% in March. There was some discussion on the garbage collection rates being charged to the Town by Allied Waste. There was some discussion about the institution of a \$2.00 monthly franchise fee that would be dedicated to road repair. Mayor Vargus reported that the Public Utility Commission prohibits setting of a rate that offers a discount based on larger volume uses of water. Mayor Vargus reviewed the water rates of the Town of Little Elm and Lake Cities and compared them to the Town of Lakewood Village current rates. Mayor Vargus reviewed a rate simulation he created based on one month of summer usage and one month of winter usage. Council discussed setting a new water rate structure that reduces the minimum bill and encourages conservation.

EXECUTIVE SESSION:

(Agenda Item F)

At 9:24 p.m. Mayor Vargus recessed into executive session in compliance with Section (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) §

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551.072 Texas Government Code to wit: deliberations about real property; (3) § 551.087 Texas Government Code to wit: Economic Development Negotiations; and (4) § 551.076 Texas Government Code to wit: deliberations about security devices.

RECONVENE:

(Agenda Item G)

Mayor Vargus reconvened the regular session of the Lakewood Village Town Council at 10:09 PM.

COUNCIL AND STAFF COMMENTS

(Agenda Item H)

Town Secretary, Linda Asbell, reported the July meeting will possibly need to be moved. Council will email available dates between July 1st and July 15th.

ADJOURNMENT

(Agenda Item I)

MOTION: Upon a motion made by Councilman Getka 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 10:14 p.m. on Thursday, June 11, 2015. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 9th day of July 2015.

APPROVED

Dr. Mark E. Vargus
MAYOR

ATTEST:

Linda Asbell, TRMC
TOWN SECRETARY