

LAKEWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

APRIL 14, 2022

Council Members:

Dr. Mark Vargus, Mayor
Darrell West – Mayor Pro-Tem
Clint Bushong
Serena Lepley
Matt Bissonnette
Eric Farage

Town Staff:

Linda Ruth, TRMC, CMC – Town Administrator/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 7:01 p.m. on Thursday, April 14, 2022, 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 receive a report, hold a discussion, conduct public hearing on an Ordinance annexing property, as requested by the owner, presently located within the extraterritorial jurisdiction of Lakewood Village, Texas; providing for amending of the Official Town Map; providing for municipal services; requiring the filing of the Ordinance with the county clerk; prescribing for effect on territory/area, granting as appropriate to all the inhabitants of the property all the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of the Lakewood Village, Texas; and providing for other matters related thereto for the following property of 4.553-acre tract

**LAKEWOOD VILLAGE TOWN COUNCIL
REGULAR SESSION
APRIL 14, 2022**

Page 2

of land described in the deed to IMV Group, LLC, as recorded in Denton County Clerk's File Number 169478.

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

PUBLIC HEARING:

(Agenda Item D)

A public hearing was held to provide an opportunity for citizens to receive a report, hold a discussion, conduct public hearing on an Ordinance annexing property, as requested by the owner, presently located within the extraterritorial jurisdiction of Lakewood Village, Texas; providing for amending of the Official Town Map; providing for municipal services; requiring the filing of the Ordinance with the county clerk; prescribing for effect on territory/area, granting as appropriate to all the inhabitants of the property all the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of the Lakewood Village, Texas; and providing for other matters related thereto for the following property of lots 53 and 54 of Rocky Shore, an addition to the county of Denton County, Texas, according to the amended plat thereof recorded in volume 2, page 172, plat records, Denton County, Texas.

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilman Bissonnette, council voted five (5) "ayes", no (0) "nays" to close the public hearing at 7:05 pm. *The motion carried.*

PUBLIC HEARING:

(Agenda Item E)

A public hearing was held to provide an opportunity for citizens to receive a report, hold a discussion, conduct public hearing to consider testimony regarding the dissolution of the existing Lakewood Village Public Improvement District No. 1 and act upon a resolution dissolving the existing Lakewood Village Public Improvement District No. 1.

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilman Bissonnette, council voted five (5) "ayes", no (0) "nays" to close the public hearing at 7:05 pm. *The motion carried.*

PUBLIC HEARING:

(Agenda Item F)

A public hearing was held to provide an opportunity for citizens to receive a report, hold a discussion, conduct public hearing to consider testimony regarding the creation of the new

**LAKEWOOD VILLAGE TOWN COUNCIL
REGULAR SESSION
APRIL 14, 2022**

Page 3

Lakewood Village Public Improvement District No. 1 and act upon a resolution creating the Lakewood Village Public Improvement District No. 1

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilman Bissonnette, council voted five (5) “ayes”, no (0) “nays” to close the public hearing at 7:06 pm. *The motion carried.*

PUBLIC HEARING:

(Agenda Item G)

A public hearing was held to provide an opportunity for citizens to receive a report, hold a discussion, conduct public hearing to consider testimony regarding the dissolution of the existing Lakewood Village Operation and Maintenance Public Improvement District No. 1 and act upon a resolution dissolving the existing Lakewood Village Operation and Maintenance Public Improvement District No. 1.

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilman Bissonnette, council voted five (5) “ayes”, no (0) “nays” to close the public hearing at 7:05 pm. *The motion carried.*

PUBLIC HEARING:

(Agenda Item H)

A public hearing was held to provide an opportunity for citizens to receive a report, hold a discussion, conduct public hearing to consider testimony regarding the creation of the new Lakewood Village Operation and Maintenance Public Improvement District No. 1 and act upon a resolution creating the Lakewood Village Operation and Maintenance Public Improvement District No. 1.

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilman Bissonnette, council voted five (5) “ayes”, no (0) “nays” to close the public hearing at 7:06 pm. *The motion carried.*

CONSENT AGENDA:

(Agenda Item I)

1. Minutes of March 10, 2022 Council Meeting (Ruth)
2. Resolution Approving the Dissolution of the existing Lakewood Village Public Improvement District No 1 (Ruth)
3. Resolution Approving the Creation of the new Lakewood Village Public Improvement District No 1 (Ruth)
4. Resolution Approving the Dissolution of the existing Lakewood Village Maintenance and

**LAKEWOOD VILLAGE TOWN COUNCIL
REGULAR SESSION
APRIL 14, 2022**

Page 4

Operation Public Improvement District No 1 (Ruth)

5. Resolution Approving the Creation of the new Maintenance and Operation Lakewood Village Public Improvement District No 1 (Ruth)
6. Ordinance annexing an approximately 4.553-acre tract of land described in the deed to IMV Group, LLC, as recorded in Denton County Clerk's File Number 169478 (Ruth)
7. Ordinance annexing lots 53 and 54 of Rocky Shore, an addition to the county of Denton County, Texas, according to the amended plat thereof recorded in volume 2, page 172, plat records, Denton County, Texas (Ruth)

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilwoman Lepley, council voted five (5) "ayes", no (0) "nays" to approve consent agenda items as presented. *The motion carried.*

REGULAR AGENDA:

(Agenda Item J.

**Consideration of Enprotec Hibbs & Todd
Engineering Task Order for Ground Storage
(Vargus)**

(Agenda Item J.1)

Mayor Vargus introduced Jordan Hibbs of Enprotec Hibbs & Todd Engineering. Mayor Vargus reported the Kimley Horn estimates for water and sewer improvements came in very high and he wanted to get another estimate. Enprotec Hibbs & Todd was recommended by the Lakewood Village Bond council. Mr. Hibbs stated they are a general civil firm with three-fourths of their business being water and sewer related. Council discussed the size of the engineering firm being a good fit for the Town. The council previously hired Enprotec Hibbs & Todd Engineering for work at the sewer plant. Mr. Hibbs reviewed types of ground storage tanks. There was some discussion about removing one of the fiberglass tanks and reusing it at the Rocky Point system. There was some discussion about on-site oversight and required inspections. There was some discussion about the cost estimate breakdown.

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilwoman Lepley, council voted five (5) "ayes", no (0) "nays" to approve the task order with Enprotec Hibbs & Todd Engineering for ground storage. *The motion carried.*

**Consideration of Enprotec Hibbs & Todd
Engineering Task Order for Lower Trinity
Aquifer Well (Vargus)**

(Agenda Item J.2)

Mr. Jordan Hibbs reported that some hydrogeology work has already been done and the report has been completed. Mr. Hibbs reported the project can get started quickly and the well could be online early next year. Mr. Hibbs reviewed the parameters of the performance contract which

**LAKEWOOD VILLAGE TOWN COUNCIL
REGULAR SESSION
APRIL 14, 2022**

Page 5

details the minimum required output and approval by Texas Commission on Environmental Quality. The contractor is required to dig as deep as necessary to achieve the required water output. Mr. Hibbs reported the anticipated timeframe for requiring access on the lot to begin working is approximately six months.

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilman Farage, council voted five (5) “ayes”, no (0) “nays” to approve task order with Enprotec Hibbs & Todd Engineering for a lower Trinity Aquifer well. *The motion carried.*

**Discussion with Enprotec Hibbs & Todd
regarding Remote-Read Water Meters
(Vargus)**

(Agenda Item J.3)

Mr. Hibbs reported that his firm recently oversaw a remote-read meter replacement program in Abilene with over 40,000 meters installed. Mr. Hibbs reviewed the benefits of using advanced metering infrastructure meters and use of the Kamstrup meters. Mr. Hibbs reviewed the replacement process. There was some discussion about the longevity of the meter and benefits of the system. There was some discussion about the possibility of a cooperative purchasing agreement for some cost saving on the price of the meters.

**Consideration of Ordinance Amending of the
2021-2022 Budget (Vargus)**

(Agenda Item J.4)

Mayor Vargus reviewed the year-to-date numbers and the large capital expenditures planned. Mayor Vargus reviewed the proposed changes. Mayor Vargus reviewed the insurance funds received for storm damage and anticipated expenditures for those repairs. Mayor Vargus reviewed the history of the operations at the sewer plant and Texas Commission on Environmental Quality compliance and the other utility fund expenditures.

MOTION: Upon a motion made by Councilman Farage and seconded by Councilwoman Lepley council voted five (5) “ayes”, no (0) “nays” to approve the ordinance amending the 2021-2022 Budget as presented. *The motion carried.*

Discussion of Investment Report (Vargus)

(Agenda Item J.5)

Mayor Vargus reviewed the investment report.

**LAKEWOOD VILLAGE TOWN COUNCIL
REGULAR SESSION
APRIL 14, 2022**

Page 6

**Consideration of Engagement of JBI
Engineering (Vargus)**

(Agenda Item J.6)

Mayor Vargus introduced Tom Juhn of JBI who will oversee all the inspections of the construction of the infrastructure. Mr. Juhn reviewed the history of his company and reported that he is looking forward to providing great inspection services for Lakewood Village. Mr. Juhn reported that it is standard procedure for developers to pay an inspection fee to assure the infrastructure they are building meets all the standards set by the town.

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilwoman Lepley, council voted five (5) “ayes”, no (0) “nays” to ratify the engagement of JBI Engineering. *The motion carried.*

EXECUTIVE SESSION:

(Agenda Item K)

At 8:22 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 re: Development agreements, development and zoning standards; and
2. § 551.071(2), Texas Government Code to wit: consultation with Town Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter to receive legal advice re: Development agreements, development and zoning standards; and
3. § 551.072 Texas Government Code to wit: deliberations about real property regarding First Texas Homes, Taylor Morrison-South Oak, Project Lakewood Village Partners, Project Slade Rock, and Project Lightning Bolt.

RECONVENE:

(Agenda Item L)

Mayor Vargus reconvened the regular session at 9:10 p.m. Council resumed consideration of the regular agenda.

**Consideration of Ratification of Engagement
of KJE Engineering (Vargus)**

(Agenda Item J.7)

Mayor Vargus reported on the interview with KJE Engineering.

**LAKEWOOD VILLAGE TOWN COUNCIL
REGULAR SESSION
APRIL 14, 2022**

Page 7

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Councilman Farage, council voted five (5) “ayes”, no (0) “nays” to approve the ratification of the engagement of KJE Engineering. *The motion carried.*

Consideration of Fire Code (Vargus)

(Agenda Item J.8)

Mayor Vargus reviewed the proposed changes prohibiting burning by developers and removing the Town of Little Elm as Fire Marshall.

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilwoman Lepley, council voted five (5) “ayes”, no (0) “nays” to approve the Fire Code Ordinance. *The motion carried.*

Consideration of Appointment of Fire Marshall (Ruth)

(Agenda Item J.9)

Mayor Vargus reviewed Mr. Bryan Ausenbaugh’s qualifications and history serving the Town of Lakewood Village and building inspector.

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Mayor Pro-Tem West, council voted five (5) “ayes”, no (0) “nays” to approve the appointment of Bryan Ausenbaugh as the Fire Marshall of Lakewood Village. *The motion carried.*

Consideration of Resolutions Accepting Petition for Annexation (Ruth)

(Agenda Item J.10)

Mayor Vargus reported this item would be considered at a future council meeting.

Consideration of Consolidated Fee Ordinance (Ruth)

(Agenda Item J.11)

Councilman Bushong reviewed the proposed requirement for roof inspections. Mayor Vargus reviewed other proposed changes.

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Mayor Pro-Tem West, council voted five (5) “ayes”, no (0) “nays” to approve the consolidated fee ordinance. *The motion carried.*

**Consideration of Extended Water Emergency
Ordinance (Vargus)**

(Agenda Item J.12)

Mayor Vargus reported no changes have been made to the ordinance since the previous council meeting.

MOTION: Upon a motion made by Councilwoman and seconded by Councilman Bissonnette, council voted five (5) “ayes”, no (0) “nays” to approve the extended water emergency ordinance. *The motion carried.*

**Consideration of Northshore Development
Agreement (Vargus)**

(Agenda Item J.13)

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Mayor Pro-Tem West, council voted five (5) “ayes”, no (0) “nays” to approve the North Shore Development Agreement. *The motion carried.*

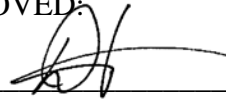
ADJOURNMENT

(Agenda Item K)

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Mayor Pro-Tem West council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Meeting of the Lakewood Village Town Council at 9:29 p.m. on Thursday March 10, 2022. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 12th day of May 2022.

APPROVED:



Darrell West
Mayor Pro-Tem

ATTEST:


Linda Ruth, TRMC, CMC
Town Administrator/Town Secretary

