



**LAKEWOOD VILLAGE TOWN HALL
100 HIGHRIDGE DRIVE
LAKEWOOD VILLAGE, TEXAS
TOWN COUNCIL MEETING
OCTOBER 21, 2015 7:00 P.M.**

REGULAR SESSION – AGENDA

Call to Order and Announce a Quorum is Present

A. PLEDGE TO THE FLAG:

B. 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 can be taken on these items at this meeting.

C. REGULAR AGENDA:

1. Consideration of Variance Request for Rear-Yard Set-back for Pool at 470 Peninsula (Asbell)
2. Consideration of Lifting of Water Restrictions (Vargus)
3. Consideration of Minutes of September 10, 2015 Council Meeting (Asbell)

D. EXECUTIVE SESSION: Recess 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) § 551.072 Texas Government Code to wit: deliberations about real property; and (3) § 551.087 Texas Government Code to wit: Economic Development Negotiations

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

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

G. ADJOURNMENT

I do hereby certify that the above notice of meeting was posted on the designated place for official notice before 5:00 p.m. on Friday, October 16, 2015.

Linda Asbell, TRMC, 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).

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 ECONOMIC DEVELOPMENT CORPORATION and the LAKEWOOD VILLAGE MUNICIPAL DEVELOPMENT DISTRICT may attend this meeting. No action will be taken by either the EDC or MDD Boards during this meeting.



MEMORANDUM

TO: Town Council
FROM: Linda Asbell, TRMC, Town Secretary
DATE: October 16, 2015
RE: Agenda Item C.1. – Variance Request

The owner of the property at 470 Peninsula has requested a variance to permit him to construct a pool that will encroach into the 10' rear setback established for pools. When council approved these setbacks the discussion was about protecting utility easements, which often run behind properties; and enhancing privacy by creating a buffer at the rear of properties which abut each other. The property at 470 Peninsula is a waterfront property and has neither a utility easement nor a privacy concern with a rear neighbor.



ZONING COMPLIANCE CHECKLIST

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

BUILDING DEPARTMENT

REVISED: 09/21/2015

PROPERTY OWNER INFORMATION

Property Owner Mike Lindley	Notes
Property Owner Address 470 Peninsula Lakewood Village, Texas 75068	

DESCRIPTION OF WORK

Class of Work: New Addition Alteration Repair

construction of pool and decking (additional patio area approved on separate permit)

DWELLING			SETBACKS		
Description	Proposed	Requirement	Description	Proposed	Requirement
Min. Dwelling Area	N/A		Front	N/A	N/A
Min. Garage	N/A	25' W x 22' D	Left	24'	10'
Min. Driveway Width	N/A	<input type="checkbox"/> 10' <input type="checkbox"/> 12'	Right	39' 11"	10'
Max. Impervious Surface	N/A	50%	Rear	3' to 6'	10'

DESIGN			SCREENING		
Description	Proposed	Requirement	Description	Proposed	Requirement
Min. Masonry		80%	A/C Equipment		Yes
Min. Roof Pitch		4/12	Trash Containers		Yes
Side Entry Garage		<input type="checkbox"/> Yes <input type="checkbox"/> No	Propane Tank		Yes
Min. Garage Door Setback		28'	Pool Equipment		Yes

REVIEWERS

Notes <u>Approved pending Variance approval by Town Council for rear setback.</u>	Notes
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Meets Minimum Requirements: Yes No

Signature <i>Linda Tobell</i>	Date	Signature	Date
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POOL – SPA PERMIT

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

BUILDING DEPARTMENT

REVISED: 10/09/2014

PERMIT TYPE			
<input checked="" type="checkbox"/> POOL – IN GROUND		<input type="checkbox"/> POOL – ABOVE GROUND	
<input type="checkbox"/> POOL / SPA COMBINATION		<input type="checkbox"/> SPA ONLY	
Heater?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If Yes:	<input type="checkbox"/> Gas <input type="checkbox"/> Electric <input checked="" type="checkbox"/> Other <i>Propane</i>
Diving Board?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	P-Trap?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROPERTY OWNER INFORMATION			
Property Owner		Notes	
<i>MIKE LINDLEY</i>			
Property Owner Address			
<i>470 PENINSULA DR LAKEWOOD VILLAGE TX</i>			
GENERAL CONTRACTOR INFORMATION			
Contact Name		Business Address	
<i>MIKE LINDLEY</i>		<i>1706 JUSTIN RD LEWISVILLE TX 75077</i>	
Company Name		Registered with Town? <input type="checkbox"/> Yes	
<i>BMR POOL & PATIO</i>			
Office Number	Mobile Number		
	<i>972 824 9080</i>		
SUBCONTRACTOR INFORMATION - ELECTRIC			
Contact Name		Business Address	
<i>SAUL GONZALEZ</i>		<i>1300 COLBY ROAD LEWISVILLE TX</i>	
Company Name		Registered with Town? <input type="checkbox"/> Yes	
<i>AGUAZUL ELECTRIC</i>			
Office Number	Mobile Number		
<i>214-538-2143</i>			
SUBCONTRACTOR INFORMATION - PLUMBING			
Contact Name		Business Address	
<i>Willy ALCALA</i>		<i>4330 GLENAIRE DALLAS TX</i>	
Company Name		Registered with Town? <input type="checkbox"/> Yes	
<i>AUEL PLUMBING</i>			
Office Number	Mobile Number		
<i>214-325-3114</i>			



POOL – SPA PERMIT

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 Lakewood Village, TX 75068
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linda@lakewoodvillagetx.us

BUILDING DEPARTMENT

REVISED: 10/09/2014

SUBCONTRACTOR INFORMATION – BARRIER FENCE (COMPLETE IF DIFFERENT THAN GENERAL CONTRACTOR)

Contact Name <i>BMR Pool & Patio</i>		Business Address <i>1706 Justin Road</i>	
Company Name <i>MIKE LINDLEY</i>		Registered with Town? <input type="checkbox"/> Yes	
Office Number	Mobile Number <i>972 824 9080</i>		

NOTICE

This permit shall become null and void if work or construction authorized is not commenced within one hundred eighty (180) days, or if work or construction is suspended or abandoned for a period of one hundred eighty (180) days at any time work is commenced.

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions and laws and ordinances governing this type of work will be complied with whether specified herein or not the granting of a permit does not presume to give authority to violate or cancel the provision of any other state or local law regulating construction or performance of construction.

Signature <i>[Handwritten Signature]</i>	Date <i>3-31-15</i>
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TOWN USE ONLY

Permit Expiration	Date Paid	<input type="checkbox"/> Check # <input type="checkbox"/> Money Order	Fee
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BUILDING DEPARTMENT

POOL PROTECTION DEVICE

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

REVISED: 10/09/2014

PROPERTY OWNER INFORMATION	
Property Owner(s) <i>MIKE LINDLEY</i>	Property Owner(s) Address <i>470 PENINSULA DRIVE LAKWOOD VILLAGE TX</i>
Home Phone	Mobile Phone (Optional) <i>972 824 9080</i>

CERTIFICATION OF RESIDENTIAL POOL PROTECTION DEVICE INSTALLATION

Per Appendix G of the 2006 International Residential Code, Barrier Requirements, "Where a wall of a dwelling serves as part of the barrier one of the following conditions shall be met:"

I certify that one (1) of the following protection devices are installed between all doors leading from the house and garage into the pool area. (Check one)

The pool shall be equipped with a power safety cover in compliance with ASTM F1346; or

All doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and its screen, if present, are opened. The alarm shall sound continuously for a minimum of 30 seconds immediately after the door is opened and be capable of being heard throughout the house during normal household activities. The alarm shall automatically reset under all conditions. The alarm shall be equipped with a manual means, such as a touchpad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last for not more than 15 seconds. The deactivation switch(es) shall be located at least 54 inches above the threshold of the door; or

Other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by Item 1 or 2 described above.

I certify that a Lakewood Village Inspector has not inspected, and may/may not be inspecting the above noted pool protection device.

NOTICE

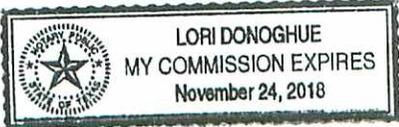
I/we hereby release, waive, discharge, hold harmless and indemnify and agree not to sue the Town of Lakewood Village, Texas, its officials, officers, agent, representatives an employees, in either their public and/or private capabilities (hereinafter collectively referred to as the "Releases") for any and all right and claims, including, but not limited to claims arising from the Releases own negligence, which I/we and/or my/our minor child(ren) may have/has or which may hereafter accrue to me/us and/or my/our minor child(ren) and from any and all damages which may be sustained by me/us and/or my/our minor child(ren) directly or indirectly in connection with or arising out of my/our and or my/our minor child(ren)'s use, whether intended or unintended, of the pool located at the above-referenced residence.

Owner(s) Printed Name <i>MIKE LINDLEY</i>	Owner(s) Signature <i>[Signature]</i>
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STATE OF TEXAS §
 COUNTY OF DENTON §

BEFORE ME, a Notary Public, on this day personally appeared *Mike Lindley*
 (printed owner's name(s)) the above signed, who, under oath, stated the following: "I hereby certify that I am the owner, or duly authorized agent of the owner, for the purposes of this application; that all information submitted herein is true and correct."

SUBSCRIBED AND SWORN TO before me, this the *14* day of *September*, 20 *15*.

Notary Seal 	Notary Signature <i>Lori Donoghue</i>
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WIDTH: 14 _____ AREA: 350 _____
 LENGTH: 29 _____ PERIMETER: 80 _____
 DEPTH: 3'6" x 7ft _____ GALLONS: 14k _____

SPA SPECS

SIZE: 7 x 7 _____ RAISED HEIGHT: flush _____
 SPILLWAY: trickle down _____ FOUNTAIN: yes _____
 JETS: 6 water way jets _____ NOTES: _____

EXCAVATION

ACCESS: thru garage _____ SHUTTLE: _____
 BOBCAT: bob cat _____ DIVER: _____
 RBB: dry steps _____ NOTES: _____

STEEL

3/8"x8" O.C.: _____ SPA: all 1/2 inch _____
 1/2"x10" O.C.: x _____ RBB: _____

PLUMBING

POOL RUN: 50 _____ SPA RUN: 60 _____
 SKIMMERS: 2 _____ RETURNS: 6 _____
 BACKWASH: _____ PTRAP: yes _____
 OVERFLOW: _____ WATER FTR SUCTION: 50 _____
 CLEANER: _____ WATER FTR RETURN: 70 _____
 BYPASS: _____ GAS LINE: yes _____
 DECK JETS: 3 _____ SPRAY HEADS: 3 laminars _____
 FILL LINE: _____

GUNITE

6" NOTCH: _____ 2" NOTCH: _____
 ROLLED SPA BEAM: yes _____ SPILLWAY NOTCH: trickle down _____
 RBB: yes _____ NOTES: _____

TILE/COPING

COPING: tbd _____ TILE: _____
 ROLLED TILE SPA BEAM: glass _____ RBB: _____
 SPA SPILLWAY: _____ # TONS: _____
 WATER FTR: _____ SCUPPERS: _____
 NOTES: _____

ELECTRIC

POOL LIGHT: yes intellibrite _____ SPA LIGHT: _____
 CONTROLLER: ez8 with salt _____ REMOTE: _____

DECKING

TYPE 1: _____ SQ FT: 1070 _____
 TYPE 2: _____ SQ FT: _____
 STEPS: _____ TURNDOWN: _____
 DRAINING PIPE: _____ DRAIN HEADS: _____

CLEAN UP & EXTRAS

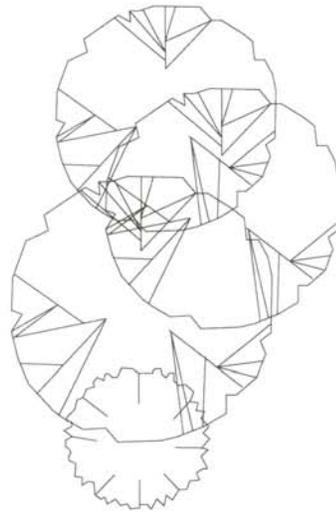
SPRINKLER REROUTE: yes _____ SOD: _____
 FIRE PIT: _____ GRILL: 8ft _____

PLASTER

TYPE: _____ COLOR: _____
 SPOTTERS: _____ FITTINGS: _____

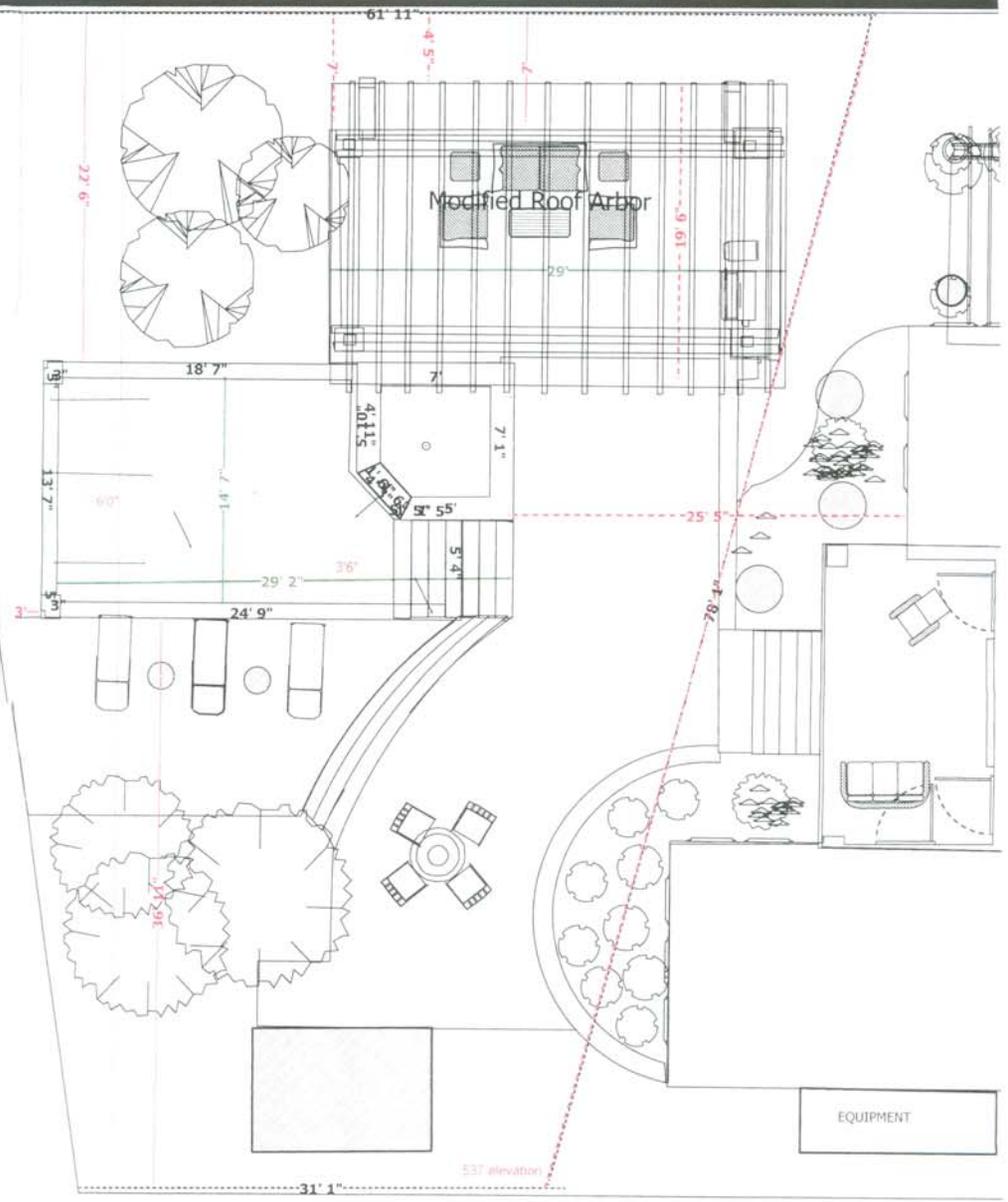
EQUIPMENT

POOL PUMP: intelliflo _____ HEATER: 400k _____
 FILTER: 520 cart _____ CHLORINATOR: salt _____
 W. FALL PUMP: intelliflo _____ W. FALL PUMP: _____
 BLOWER: 1.5hp silencer _____ SPA SIDE RMT: 4 button _____
 3/4 CLEANER: yes _____ ARBOR: _____
 GRILL: _____ PATIO COVER: mod roof arbor _____



← Lake

Mike and Tammie Lindley
 470 Peninsula Drive
 Lakewood Village, Texas 75068



EQUIPMENT

LAKEWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

SEPTEMBER 10, 2015

Council Members:

Dr. Mark Vargus, Mayor
Carl Menckhoff, M.D., Mayor Pro-Tem
Clint Bushong
Dave Getka
Gary Newsome - ABSENT
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 7:04 p.m. on Thursday, September 10, 2015, 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

PRESENTATION:

(Agenda Item B)

Mayor Vargus presented a proclamation designating September 17th through September 23rd as Constitution Week. The proclamation was received by Nancy Kudich of the Preston Ridge Chapter of the Daughters of the American Revolution.

VISITOR/CITIZENS FORUM:

(Agenda Item C)

No one requested to speak.

PUBLIC HEARING:

(Agenda Item D)

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A public hearing was scheduled on the proposed property tax rate of \$0.25/\$100 and interest and sinking tax rate of \$0.05/\$100 to provide an opportunity for citizen comment. Mayor Vargus opened the public hearing at 7:03 p.m.

Mayor Vargus reported that the maintenance and operation tax rate proposed is \$0.25/\$100 which is the same rate for the last 38 years. The interest and sinking rate will be \$0.05/\$100 which is also the same as last year and is tied directly to the debt for the concrete roads. When the debt for the roads is paid off the interesting and sinking rate will no longer apply. There was some discussion about paying off the debt early or refinancing the debt to extent the concrete roads into other areas of town.

MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Reed the Council voted four (4) “ayes” and no (0) “nays” to close the public hearing at 7:06 p.m. The motion carried.

CONSENT AGENDA:

(Agenda Item E)

1. Minutes of the July 9, 2015 Council Meeting (Asbell)
2. Minutes of the August 13, 2015 Council Meeting (Asbell)
3. Minutes of the September 2, 2015 Council Meeting (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 F)

**Consideration of Ordinance Adopting the
2015 Property Tax Rate of \$0.30/\$100
(Vargus)**

(Agenda Item F.1)

MOTION: Upon a motion made by Councilman Bushong and seconded by Councilman Reed, council voted four (4) “ayes” and no (0) “nays” to approve Ordinance 15-14 adopting the 2015 Property Tax rate of \$0.30/\$100. *The motion carried.*

Town Secretary, Linda Asbell, Called for a Roll-Call Vote:

Mayor Pro-Tem Menckhoff	Aye
Councilman Reed	Aye
Councilman Bushong	Aye
Councilman Getka	Aye

**Consideration of Ratification of Ordinance
15-11 Adopting the Fiscal Year 2015-2016
Budget (Vargus)**

(Agenda Item F.2)

MOTION: Upon a motion made by Mayor Pro-Tem Menckhoff and seconded by Councilman Getka, council voted four (4) “ayes” and no (0) “nays” to ratify Ordinance 15-11 Adopting the Fiscal Year 2015-2016 Budget. *The motion carried.*

Town Secretary, Linda Asbell, Called for a Roll-Call Vote:

Mayor Pro-Tem Menckhoff	Aye
Councilman Reed	Aye
Councilman Bushong	Aye
Councilman Getka	Aye

**Discussion on Water/Wastewater System
(Vargus)**

(Agenda Item F.3)

Mayor Vargus introduced Mark Patterson of Patterson Professional Services. Mr. Patterson reviewed the wastewater system, reporting that the system is doing very well. Mr. Patterson reported that the wastewater system is running approximately 50% capacity. There is a TCEQ trigger at 75% capacity which requires the town to begin preparing for expansion. There was some discussion on the current permit which expires in October 2016. Mr. Patterson reported on the wastewater plant re-permitting process. All tests have come back well within required parameters. There was some discussion about the use of recycled water at the wastewater plant. Mr. Patterson reported on the status of the water system. All cities using groundwater in North Texas experienced the same reduction of water in the aquifer as Lakewood Village did last week. Mr. Patterson reported that many of the additional requirements on the water system, which are triggered at 250 connections, have already been in place in Lakewood Village for many years. Mr. Patterson reported that he is the president of the ground water conservation district that neighbors the one the town falls under. Groundwater conservation districts have created ground water availability models which will forecast the levels of the aquifers based on the varying and continued usage over the next 50 years. Studies are currently being done that will establish timeframes for municipalities to move to the use of surface water. There was some discussion about whether or not aquifers will replenish over time. There was some discussion about implementation of long-term water restrictions.

**Discussion on Status of Well Condition and
Water Restrictions (Vargus)**

(Agenda Item F.4)

Mayor Vargus reported that Well #2 is operating normally. The well pump has been lowered and the town is now monitoring the amount of water over the pump. Mayor Vargus reported that the town can operate with only two wells as long as there is no irrigation. Councilman Bushong reported that water consumption in August was approximately 60% over consumption in August of 2014. Mayor Vargus reported that the town typically turns off one well during the winter. The irrigation restriction to two days will probably stay in place another week and then council will re-evaluate the condition of the wells. Mayor Vargus reported that the town ran the water system at 60psi and approximately seven years ago the town went from 60psi to 70psi to compensate for a small water main along Lakecrest Drive. The water main has been replaced and during the recent water event the water pressure was set back to the original design parameters for the water system of 60psi. There was some discussion about the frequency of breaks in irrigation lines and the corresponding water loss. There was also discussion about leaks in swimming pools and the possibility of the auto-fill failing. Mayor Vargus reported that Lakewood Village has an agreement for emergency water with the Town of Little Elm. There was some discussion about a permanent emergency interconnect with the Town of Little Elm well nearest to Lakewood Village which would be installed in the near future.

Consideration of Variance Request for Front Facing Garage and Garage Dimensions for 447 Hillside (Vargus)

(Agenda Item F.5)

Mayor Vargus reported that 447 Hillside is the smallest lot in the town. Due to the small size of the lot it cannot accommodate the garage size required by the zoning ordinance. The proposed garage is 23.6' by 22.1' and it is front facing.

MOTION: Upon a motion made by Mayor Pro-Tem Menckhoff and seconded by Councilman Getka, council voted four (4) "ayes" and no (0) "nays" to approve the variances as requested for 447 Hillside. *The motion carried.*

Consideration of Variance Request for Side-Yard Set-back for Driveway Extension at 470 Peninsula Drive (Vargus)

(Agenda Item F.7)

Mayor Vargus introduced property owner Mike Lindley. Mr. Lindley reported that he is requesting a variance to extend his driveway into the setback and leave one foot of space between the edge of the driveway and the property line. The driveway extension will not put his impermeable surface area over the 50% maximum allowable by the zoning ordinance.

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MOTION: Upon a motion made by Councilman Getka and seconded by Mayor Pro-Tem Menckhoff, council voted four (4) “ayes” and no (0) “nays” to approve the variance as requested for 470 Peninsula. *The motion carried.*

**Consideration of Variance Request for Front
Yard Fence for 770 Carrie (Vargus)**

(Agenda Item F.6)

Mayor Vargus reported the owner of the property at 770 Carrie has requested this item be withdrawn from consideration.

EXECUTIVE SESSION:

(Agenda Item G)

At 8:05 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) § 551.072 Texas Government Code to wit: Deliberations about Real Property; and (3) § 551.087 Texas Government Code to wit: Economic Development Negotiations.

RECONVENE:

(Agenda Item H)

Mayor Vargus reconvened the regular session of the Lakewood Village Town Council at 8:59 PM.

COUNCIL AND STAFF COMMENTS

(Agenda Item I)

No comments were made

ADJOURNMENT

(Agenda Item J)

MOTION: Upon a motion made by Mayor Pro-Tem Menckhoff and seconded by Councilman Reed, council voted four (4) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lakewood Village Town Council at 8:59 p.m. on Thursday, September 10, 2015. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 21st day of October 2015.

**LAKWOOD VILLAGE TOWN COUNCIL
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APPROVED

Dr. Mark E. Vargus
MAYOR

ATTEST:

Linda Asbell, TRMC
TOWN SECRETARY