

LAKWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

MAY 13, 2021

Council Members:

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

Town Staff:

Linda Asbell, TRMC, CMC – 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 7:00 p.m. on Thursday, May 13, 2021 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.

EXECUTIVE SESSION:

(Agenda Item B)

At 7:01 p.m. Mayor Vargus recessed into executive session in accordance with § 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.

RECONVENE:

(Agenda Item C)

Mayor Vargus reconvened the regular session at 7:30 p.m. No action was taken.

PRESENTATIONS:

(Agenda Item D)

Mayor Vargus administered the oath of office and presented the election certificate to re-elected Councilman Bushong. Mayor Pro-Tem West administered the oath of office and presented the election certificate to re-elected Councilman Bissonnette. Councilwoman Serena Lepley administered the oath of office to newly elected Councilman Eric Farage. Council members Bushong, Bissonnette, and Farage took their seats on the dais.

VISITOR/CITIZENS FORUM:

(Agenda Item E)

Eric Hancock, 8249 Treemont Place, Frisco, Texas, stated he is a one-third owner of a property at Eldorado and Lakecrest near the entrance to town. Mr. Hancock stated that several years ago Ms. Elizabeth Shields was elected to office. Mr. Hancock reported that Ms. Shields told him that she was given the keys to the Town Secretary's office. Mr. Hancock reported that Ms. Shields reported to him that she went to the office in the evening, was unable to get into the office, and was unable access records. Mr. Hancock stated that Ms. Shields told him only signers on the bank accounts will have access to the office that holds the official financial records. Mayor Vargus told Mr. Hancock that he was over the allotted speaking time and asked him to finish up his comment. Mr. Hancock stated he would hold his comments for a future date.

PUBLIC HEARING:

(Agenda Item F)

A public hearing was held to provide an opportunity for citizen comment on the proposed ordinances related to building codes (Agenda Items H.7. – H.12.)

No one requested to speak

MOTION: Upon a motion made by Councilman Bissonnette and seconded by Mayor Pro-Tem West, council voted five (5) "ayes", no (0) "nays" to close the public hearing at 7:38 p.m. *The motion carried.*

CONSENT AGENDA:

(Agenda Item G)

1. Minutes of March 11, 2021, 2020 Council Meeting (Asbell)
2. Resolution Naming the Denton Record Chronicle as the Official Newspaper (Asbell)
3. Professional Services Agreement with Corson Cramer Development (Asbell)
4. Engagement of P3Works Public Improvement District Consultants (Asbell)
5. Reappointment of Robin West, Linda Loudon, and Linda Asbell to the Municipal Development District Board of Directors (Asbell)

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilman Farage, council voted four (5) “ayes”, no (0) “nays” to approve the consent agenda items as presented. *The motion carried.*

REGULAR AGENDA:

(Agenda Item H)

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

(Agenda Item H.1)

Mayor Vargus stated Darrell West has been doing a great job as Mayor Pro-Tem. Council thanked Darrell West for his efforts.

Eric Hancock, 8249 Treemont Place, Frisco, Texas, previously requested to speak but stated he would no longer wished to speak on this agenda item.

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Councilman Bissonnette, council voted five (5) “ayes”, no (0) “nays” to re-elect Darrell West to the position of Mayor Pro-Tem. *The motion carried.*

**Consideration of Variance for 780 Carrie
Lane for Front Facing Garage (Asbell)**

(Agenda Item H.2)

Mayor Vargus reported that cul-de-sac lots present a challenge when complying with the zoning requirements for front facing garages. Mayor Vargus reported that house will be set back from the street.

Julie Petaros, 770 Carrie Lane, read a statement prepared by her husband and herself. Ms. Petaros stated previous variances have been granted based on limited space. This property has space available for a side facing garage and there is no need to grant the variance. Ms. Petaros stated front facing garages are unsightly.

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilman Farage, council voted four (4) “ayes”, one (1) “nays” (Councilman Bushong) to approve the variance for 780 Carrie Lane for front facing garage. *The motion carried.*

**Consideration of Resolution Nominating a
Candidate to the Denco Area 9-1-1 Board of
Managers (Asbell)**

(Agenda Item H.3)

Sue Tejml, 835 Orchid Hill Lane, Argyle, Texas reported on a problem the Lewisville Police Department experienced during the 2021 Winter Storm due to loss of power. Denco 9-1-1 was able within 30 minutes to move the police call center to the Denco Annex and bring dispatching services back online. There was some discussion about the importance of Denco 9-1-1 services.

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilman Bissonnette, council voted five (5) “ayes”, no (0) “nays” to approve the resolution nominating Sue Tejml to the Denco Area 9-1-1 Board of Managers. *The motion carried.*

**Consideration of Hiring a Part-Time Utility
Billing/Building Department Clerk (Vargus)**

(Agenda Item H.4)

Mayor Vargus reported that Shannon Bushong has been assisting with the conversion of the Building Department to digital records. Mayor Vargus stated that Councilman Bushong has created an automated building department interface which has been very helpful. Mayor Vargus stated Shannon has been doing a great job and recently has taken on the management of utility billing accounts.

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Mayor Pro-Tem West, council voted four (4) “ayes”, no (0) “nays” (with Councilman Bushong abstaining), to authorize the mayor to hire a part-time utility billing/building department clerk. *The motion carried.*

**Consideration of Interlocal Agreement with
the Town of Little Elm for Fire and
Emergency Medical Services (Vargus)**

(Agenda Item H.5)

Mayor Vargus reviewed the contract. The town averages approximately 30 runs each year. Little Elm Fire Chief Rust reviewed the policy on standardized reporting which differentiates between a “lock-in” which might be a child locked in a car versus a “lock-out” which would be someone locking their keys in their car or house. Little Elm Fire Department will no longer respond to “lock-out” situations. Council expressed appreciation to Chief Rust for the services they provide to the Town of Lakewood Village.

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Councilman Bissonnette, council voted five (5) “ayes”, no (0) “nays” to approve the interlocal agreement with the Town of Little Elm for fire and emergency medical services. *The motion carried.*

Consideration of the Consolidated Fee Ordinance (Bushong)

(Agenda Item H.6)

Councilman Bushong reviewed the changes to the fee ordinance. Councilman Bushong reviewed the new procedure for processing building permits. There was some discussion about the new building permit process. Councilman Bushong continued to review the changes to the ordinance. Councilman Bushong reported on the procedure implemented to collect reinspection fees prior to a final inspection. There was some discussion about the number of reinspections permitted before a contractor will be charged a reinspection fee. There was some discussion about plan reviews and inspections on retaining walls.

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 consolidated fee ordinance. *The motion carried.*

Discussion of 2018 Residential Code (Bushong)

(Agenda Item H.7)

Mayor Vargus reported that every three years the International Code Council updates all the codes. The Town of Lakewood Village typically waits a few years before adopting new codes. The local amendments that the town adopts is usually similar to surrounding municipalities. The ordinance only addresses the local amendments. Councilman Bushong reported that he will include the entire paragraph referenced in the local amendment. Councilman Bushong stated he would like council to review the ordinances and hold a public hearing at this council meeting and hold another public hearing and adopt at the next council meeting.

Councilman Bushong reviewed some of the substantive changes from the previous ordinance. The ordinance would allow for finishing work to be completed at a construction site on Sundays but the work cannot cause a noise nuisance. Mayor Vargus reported that he allowed some construction work on Sundays during the pandemic to allow workers to spread out and be working on different days. No complaints have been received about the work on Sundays. There was some discussion about allowing work on Sundays.

Discussion of 2018 Swimming Pool and Spa Code (Bushong)

(Agenda Item H.8)

Councilman Bushong reported the swimming pool code has been removed from the residential code and is now a stand-alone code. Pools will be prohibited from discharging into the town sewer system and must be discharged into a vegetated area within the owner's property.

Discussion of 2017 Electrical Code (Bushong)

(Agenda Item H.9)

Councilman Bushong reviewed the proposed code.

Discussion of 2018 Fuel Gas Code (Bushong)

(Agenda Item H.10)

Councilman Bushong reviewed the proposed code.

Discussion of 2018 Mechanical Code (Bushong)

(Agenda Item H.11)

Councilman Bushong reviewed the proposed code.

Discussion of 2018 Plumbing Code (Bushong)

(Agenda Item H.12)

Councilman Bushong reviewed the proposed code. There was some discussion about a property maintenance code.

Discussion of Discussion of Concrete Roads (Vargus)

(Agenda Item H.13)

Mayor Vargus reported the detour on Green Meadow will be opened next week. Mayor Vargus reported on some shrinkage cracks on Melody. There was some discussion about a property owner on Carrie that dropped approximately 80 yards of gravel across the middle of the concrete road. Mayor Vargus reported on the problems caused by the Bobcat scraping its bucket across the road to pick up the gravel and the gravel filling in the expansion joint on the road. There was some discussion about a change order cancelling the installation of asphalt on the transitions to Lakecrest. There was some discussion on Fugro going over budget on inspections due to multiple smaller inspections. Mayor Vargus reported on the current expected financial gap on bond funds and the cost of the roads. There was some discussion on sodding drainage easements.

Town Finance Update (Vargus)

(Agenda Item H.14)

Mayor Vargus reviewed the general fund and reported on several properties that have not received their tax bills yet because Denton Central Appraisal District did not send them out until May 12, 2021. Mayor Vargus reviewed the general fund revenues. Mayor Vargus reported the Town will receive approximately \$210,000 in federal stimulus funds. Mayor Vargus reviewed the general fund expenditures and debt servicing. Attorney Fees are approximately \$7,000 year to date which is significantly reduced from last year. Mayor Vargus reported on the effect of damage to town hall during the winter storm and the subsequent insurance claim has on the financials.

Mayor Vargus reviewed the utility fund revenues. There was some discussion on the comparison of year to date numbers with this point in the budget last year. Mayor Vargus reported on utility fund expenditures. There was some discussion on the sludge removal. Mayor Vargus reported that the previous operator Patterson Professional Services did not operate the sewer plant properly which resulted in sludge infiltrating the entire system. Wet hauls were required to remove the sludge because the drying bed would not operate correctly due to the permeation of sludge throughout the plant. There was some discussion about the rebuilding of the Highridge lift station due to the road construction.

**Discussion of Federal Emergency
Management Agency Reimbursement and
Texas Municipal League Claims (Asbell)**

(Agenda Item H.15)

Town Secretary Asbell reviewed the damage to town facilities caused by the winter storm and the claim filed with Texas Municipal League to cover those expenses. The insurance has paid \$29,322.32 to date with an expected additional \$7594.94 to be received when work is completed. Secretary Asbell reported on the status of the application with the Federal Emergency Management Agency to cover the extra costs of incurred for emergency operations during the winter storm. Town Secretary reviewed the status of the federal stimulus funds and the expected timeline for receiving funds.

EXECUTIVE SESSION:

(Agenda Item I)

At 9:08 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;
- (2) § 551.072 Texas Government Code to wit: deliberations about real property regarding

**LAKWOOD VILLAGE TOWN COUNCIL
REGULAR SESSION
MAY 13, 2021**

Page 8

- Sam Hill Ventures, Sanctuary at Sunset Cove, Project Left Field; Project Slade Rock, and Project Boy Scout, and
(3) § 551.087 Texas Government Code to wit: Economic Development Negotiations regarding Sam Hill Ventures, and Sanctuary at Sunset Cove, Project Left Field; Project Slade Rock, and Project Boy Scout.

RECONVENE:

(Agenda Item I)

Mayor Vargus reconvened the regular session at 9:12 p.m. No action was taken.

ADJOURNMENT

(Agenda Item J)

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Councilman Bissonnette council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Meeting of the Lakewood Village Town Council at 9:12 p.m. on Thursday May 13, 2021. The motion carried.

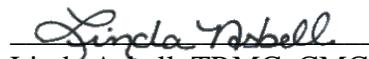
These minutes approved by the Lakewood Village Town Council on the 10th day of June 2021.

APPROVED:



Darrell West
MAYOR PRO-TEM

ATTEST:



Linda Asbell, TRMC, CMC
TOWN SECRETARY

