

**LAKEWOOD VILLAGE TOWN COUNCIL**

**COUNCIL MEETING**

**FEBRUARY 14, 2019**

**Council Members:**

Dr. Mark Vargus, Mayor  
Ed Reed – Mayor Pro-Tem  
Clint Bushong  
Elizabeth Shields  
Darrell West  
Serena Lepley

**Town Staff:**

Linda Asbell, TRMC, CMC – Town Secretary  
Andy Messer, Town Attorney

**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, February 14, 2019, 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 comment on the proposed changes to the zoning ordinance. Mayor Vargus opened the public hearing at 7:00.

No one requested to speak.

**MOTION:** Upon a motion made by Councilwoman Lepley and seconded by Councilman Bushong, council voted five (5) “ayes,” no (0) “nays” to close the public hearing at 7:01 p.m. *The motion carried.*

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**CONSENT AGENDA:**

**(Agenda Item D)**

1. Minutes of January 10, 2019 Council Meeting (Asbell)
2. Minutes of January 24, 2019 Council Meeting (Asbell)
3. Ordinance Calling General Election for May 4, 2019 (Asbell)

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

**REGULAR AGENDA:**

**(Agenda Item E)**

**Consideration Outdoor Lighting Ordinance  
(Reed)**

**(Agenda Item E.1)**

Mayor Pro-Tem Reed reviewed the changes from the previous version of the ordinance. The requirement for existing homes to become compliant within 10 years has been removed, and the shielding requirements have been modified.

**MOTION:** Upon a motion made by Mayor Pro-Tem Reed and seconded by Councilman Bushong, council voted five (5) “ayes”, no (0) “nays” to approve the outdoor lighting ordinance as presented. *The motion carried.*

**Consideration of Zoning Ordinance (Vargus)**

**(Agenda Item E.2)**

Mayor Vargus reported that no changes have been made to the zoning ordinance since the initial proposed changes. Mayor Vargus reported the council has held four public hearings and has received no negative feedback from citizens regarding the proposed changes.

**MOTION:** Upon a motion made by Councilman Bushong and seconded by Councilman West, council voted five (5) “ayes”, no (0) “nays” to approve the zoning ordinance. *The motion carried.*

**Consideration of Professional Services  
Agreement (Reed)**

**(Agenda Item D.3)**

Mayor Vargus and Councilman Bushong reviewed the history of the professional services agreement with LandPlan Development. Mayor Vargus reported that he asked the Town Secretary and Town Attorney to provide a standard Professional Services Agreement that would

be appropriate for use with any developer. Town Attorney Messer reported that most small towns use professional services agreements to provide for professional review of developments. Attorney Messer reported that LandPlan has seen this agreement many times and there is nothing unexpected in this document.

**MOTION:** *No motion made*

**Consideration of Approval of Engineering  
Project for Concrete Roads (Vargus)**

**(Agenda Item E.4)**

Mayor Vargus reviewed the preliminary work that is necessary to plan the construction of the concrete roads. Mr. Todd Strouse, Town Engineer stated that a geotechnical report will be provided to the town which will contain laboratory results, soil cross sections, and recommendations on construction process to follow during the road construction. There was some discussion about typical types of stabilization that is necessary for concrete roads. Mr. Strouse reported that work would begin within approximately two weeks and the work, including the report, would take approximately 4 weeks following council approval.

**MOTION:** Upon a motion made by Councilman Bushong and seconded by Councilwoman Shields, council voted five (5) “ayes”, no (0) “nays” to authorize Mayor Vargus to execute a contract for Kimley Horn to perform the geotechnical analysis in preparation for concrete roads. *The motion carried.*

**Consideration of Capital Improvements  
(Vargus)**

**(Agenda Item E.5)**

Mayor Vargus reviewed the estimate for the cost to reroute sewer down Melody Lane to reduce workload at the Stowe Lane lift station. There was discussion about the construction process and Mayor Vargus reported that no property should experience an interruption in service. Work would be completed prior to springtime.

**MOTION:** Upon a motion made by Councilman Bushong and seconded by Councilman West, council voted five (5) “ayes”, no (0) “nays” to approve installation of a pressure sewer line from the Carrie Lane lift station to the manhole on Melody Lane. *The motion carried.*

**Consideration of Budget Amendment for -**

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**Fiscal Year 2018-2019 (Vargus)**

**(Agenda Item E.6)**

Mayor Vargus reviewed the proposed changes to the budget in both General and Utility Funds.

**MOTION:** Upon a motion made by Councilwoman Lepley and seconded by Councilman Bushong, council voted five (5) “ayes”, no (0) “nays” to approve budget amendment as proposed. *The motion carried.*

**Discussion of Concrete Roads (Vargus)**

**(Agenda Item E.7)**

Mayor Vargus stated he will likely place this item on council agendas for the foreseeable future to give council and citizens an opportunity to discuss any issues or concerns as this project progresses. Mayor Vargus stated he believes the town will need an ordinance in place to protect the town’s investment in the concrete road during the construction process. Drivers going around a barricade and damaging uncured concrete should be held responsible for the damage. Town Attorney Messer stated a citation could be issued if the driver can be identified.

**Discussion of Repeal of Ordinance 14-08  
(Vargus)**

**(Agenda Item E.8)**

Mayor Vargus reviewed the history of Ordinance 14-08 establishing a road maintenance fund. Mayor Vargus reported that with the concrete road project underway this fund is no longer necessary.

**Discussion of Municipal Court of Record  
(Asbell)**

**(Agenda Item E.9)**

Mayor Vargus reported that cases appealed from Lakewood Village Municipal Court are heard by Denton County. Town Attorney Messer stated the County District Attorney can decide not to prosecute appealed cases on their discretion. If Lakewood Village is a court of record it would require the County to consider cases only on judicial error. Town Attorney Messer stated he does not see becoming a court of record causing any negative consequence to the town.

**EXECUTIVE SESSION:**

**(Agenda Item F)**

At 8:09 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

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Conduct of the State Bar of Texas clearly conflicts with this chapter to receive legal advice. (2) § 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 at 9:03 p.m.

**REPORTS**

**(Agenda Item H)**

No reports were made.

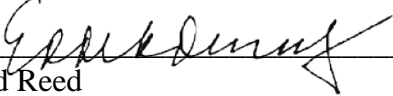
**ADJOURNMENT**

**(Agenda Item I)**

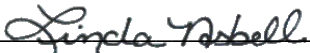
**MOTION:** Upon a motion made by Councilwoman Lepley and seconded by Councilwoman Shields council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Meeting of the Lakewood Village Town Council at 9:03 p.m. on Thursday, February 14, 2019. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 14th day of March 2019.

APPROVED

  
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Ed Reed  
MAYOR PRO-TEM

ATTEST:

  
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Linda Asbell, TRMC, CMC  
TOWN SECRETARY

