

LAKEWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

MAY 14, 2015

Council Members:

Dr. Mark Vargus, Mayor
Carl Menckhoff, M.D., Mayor Pro-Tem
Clint Bushong
Dave Getka
Gary Newsome
Ed Reed

Town Staff:

Linda Asbell, TRMC, 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 Session of the Town Council to order at 7:03 p.m. on Thursday, May 14, 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

VISITOR/CITIZENS FORUM:

(Agenda Item B)

No one requested to speak.

CONSENT AGENDA:

(Agenda Item C)

1. Minutes of the March 12, 2015 Council Meeting (Asbell)
2. Minutes of the April 17, 2015 Council Meeting
3. Canvass of Election Returns for the Lakewood Village Special Election (Asbell)
4. Resolution Declaring the Results of the May 9, 2015 Lakewood Village special Election (Asbell)

MOTION: Upon a motion made by Councilman Ed and seconded by Councilman Getka the Council voted five (5) "ayes" and no (0) "nays" to approve the consent agenda items as presented. *The motion carried.*

REGULAR AGENDA

(Agenda Item D)

**Discussion of Sustainability Goals for
Lakewood Village (Reed)**

(Agenda Item D.1)

Councilman Reed reviewed the sustainability goals. Councilman Reed reviewed water conservation and economic incentives to promote conservation. There was some discussion about measuring achievement of stated goals. There was some discussion about investigation of potential renewable sources of energy. Councilman Getka recommended pursuit of grants to assist with projects. There was some discussion about the success of the current recycling program in town. Mayor Vargus reported that approximately 42,000 gallons of water each day is being discharged from the wastewater plant into the lake that could be recycled for irrigation or other non-potable purposes. Council discussed opportunities to repurpose city assets, recycling tanks, pumps, etc. Councilman Reed stated that he would provide an updated document for consideration at a future council meeting.

Consideration of Residential Code (Bushong)

(Agenda Item D.2)

There was some discussion about the wording of the penalty clause. Councilman Bushong reviewed proposed language. Mayor Pro-Tem Menckhoff stated concern with the language identifying violation of the ordinance as guilt of an offense. Town Attorney Andy Messer explained the due-processes available to anyone violating the ordinance. There was some discussion of the violation language and the practical application of the enforcement of the ordinance. There was some discussion about adding a “notice” requirement prior to a finding of guilt. Mayor Vargus proposed adding “after notification” in the first sentence of the violation clause of each of the proposed ordinances being considered on this agenda.

MOTION: Upon a motion made by Mayor Pro-Tem Menckhoff and seconded by Councilman Getka, council voted five (5) “ayes” and no (0) “nays” to approve Ordinance 15-04 adopting the Residential Code as amended. *The motion carried.*

**Consideration of Energy Conservation Code
(Bushong)**

(Agenda Item D.3)

MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Reed, council voted five (5) “ayes” and no (0) “nays” to approve Ordinance 15-08 adopting the Energy Conservation Code as amended. *The motion carried.*

Consideration of Fuel Gas Code (Bushong)

(Agenda Item D.4)

MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Reed, council voted five (5) “ayes” and no (0) “nays” to approve Ordinance 15-07 adopting the Fuel Gas Code as amended. *The motion carried.*

**Consideration of Mechanical Code
(Bushong)**

(Agenda Item D.5)

MOTION: Upon a motion made by Councilman Reed and seconded by Councilman Newsome, council voted five (5) “ayes” and no (0) “nays” to approve Ordinance 15-05 adopting the Mechanical Code as amended. *The motion carried.*

Consideration of Plumbing Code (Bushong)

(Agenda Item D.6)

MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Reed, council voted five (5) “ayes” and no (0) “nays” to approve Ordinance 15-06 adopting the Plumbing Code as amended. *The motion carried.*

Consideration of Directional Signage

(Agenda Item D.7)

Councilman Reed reported on a meeting with Doug Peach, Assistant Town Manager of the Town of Little Elm to discuss cooperatively replacing the existing signs directing people to the Little Elm Beach. Councilman Reed reported on requests he made to Texas Department of Transportation to place directional signs to the Town of Lakewood Village.

**Discussion of Street Parking Near
Intersections (Vargus)**

(Agenda Item D.8)

Mayor Vargus reported concerns about the safety at the intersection of Highridge Drive and Melody Lane. Mayor Vargus expressed concern with vehicles parking on the wrong side of the street combined with vehicles stopped at the mailboxes creating a dangerous situation. There was some discussion regarding enforcement. Council discussed consideration of an ordinance at a future council meeting.

**LAKWOOD VILLAGE TOWN COUNCIL
REGULAR SESSION
MAY 14, 2015**

Page 4

EXECUTIVE SESSION:

(Agenda Item E)

At 8:12 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) § 551.072 Texas Government Code to wit: deliberations about real property; (3) 551.074 Texas Government Code to wit: Personnel Matters, Performance Evaluation of Town Secretary, (4) § 551.087 Texas Government Code to wit: Economic Development Negotiations; and (5) § 551.076 Texas Government Code to wit: deliberations about security devices.

RECONVENE:

(Agenda Item F)

Mayor Vargus reconvened the regular session of the Lakewood Village Town Council at 9:50 PM.

COUNCIL AND STAFF COMMENTS

(Agenda Item G)

Mayor Vargus reported on an audit performed by the Texas State Comptroller, which resulted in an additional sales tax remittance to the Town and EDC of approximately \$6,600. The MDD received an additional \$4,000 in sales tax.

Mayor Vargus reported that he received the estimate from Town Engineer Kimley Horn for additional ground storage. The estimate was unexpectedly high. Mayor Vargus has asked them to revise the estimate.

Councilman Getka reported that CoServ is performing work around town elevating and stabilizing electric boxes.

Mayor Vargus reported the appraisal totals for this year have increased approximately 12%, which will likely average an increase of ad valorem by approximately 7% after the protests.

Councilman Newsome reported that his electric meter was installed sideways which allowed water to enter and cause corrosion. The corrosion caused electric quality problems and light bulbs to burn out prematurely. The issue has been corrected and the electric quality in his home is noticeably better.

Town Secretary, Linda Asbell, reported election information. At the time of the 2015 election Lakewood Village had 388 registered voters and 191 or 49.2% of voters participated in the May 9th election. The cost of the election was \$2,685.77 with \$1,844.80 of that amount being the

**LAKWOOD VILLAGE TOWN COUNCIL
REGULAR SESSION
MAY 14, 2015**

Page 5

lease of the equipment from Denton County and \$840.97 being additional expenses (election worker salary, publication, miscellaneous expenses). The total per vote cost was \$14.06.

ADJOURNMENT

(Agenda Item H)

MOTION: Upon a motion made by Councilman Getka and seconded by Mayor Pro-Tem Menckhoff, council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lakewood Village Town Council at 10:04 p.m. on Thursday, May 14, 2015. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 11th day of June 2015.

APPROVED

Dr. Mark E. Vargus
MAYOR

ATTEST:

Linda Asbell, TRMC
TOWN SECRETARY