

LAKEWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

AUGUST 13, 2020

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, August 13, 2020 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 Fiscal Year 2020-2021 budget. Mayor Vargus opened the public hearing at 7:00 p.m.

No one requested to speak.

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 7:01 pm. *The motion carried.*

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PUBLIC HEARING:

(Agenda Item D)

A public hearing was held to provide an opportunity for citizens to comment on the proposed property tax rate. Mayor Vargus opened the public hearing at 7:02 p.m.

No one requested to speak.

MOTION: Upon a motion made by Councilman Farage and seconded by Mayor Pro-Tem West, council voted five (5) “ayes”, no (0) “nays” to close the public hearing at 7:02 pm. *The motion carried.*

CONSENT AGENDA:

(Agenda Item E)

1. Minutes of June 11, 2020 Council Meeting (Asbell)
2. Minutes of June 25, 2020 Council Meeting (Asbell)
3. Minutes of July 9, 2020 Council Meeting (Asbell)
4. Interlocal Agreement for Federal Corona Virus Relief Funds (Asbell)
5. Opening Bank Account for Corona Virus Relief Funds (Asbell)

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

REGULAR AGENDA:

(Agenda Item F)

**Consideration of the Municipal Development
District Budget for Fiscal Year 2020-2021
(Asbell)**

(Agenda Item F.1)

Mayor Vargus reported the Municipal Development District has a cash flow of approximately \$30,000 from sales tax and water revenue. The Municipal Development District approved the proposed budget at their last meeting. Mayor Vargus requested that the MDD make the interest portion of the bond payments in the next fiscal year. The MDD could possibly pay for the new street signs required but Texas Department of Transportation requirements. Mayor Vargus reviewed the budget and discussed sales tax revenues.

MOTION: Upon a motion made by Councilman Bissonnette seconded by Councilman Bissonnette, council voted five (5) “ayes”, no (0) “nays” to approve the Municipal

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Development District Budget for Fiscal Year 2020-2021 as presented. *The motion carried.*

**Consideration of Fiscal Year 2020-2021
Budget (Vargus)**

(Agenda Item F.2)

Mayor Vargus reported on the Corona Virus Relief Funds that will be received in the current fiscal year and the funds that will be received in the 2020-2021 fiscal year. Mayor Vargus reported that all property tax revenues are current. The Interest and Sinking fund will cover \$220,000 of the bond payments, the MDD will cover an interest payment of \$12,318, and the General Fund will cover the rest of the debt payment of \$176,858. Mayor Vargus reviewed the utility fund revenues and expenses. There was some discussion about the previous meter replacement program and the possibility of installing remote read meters in The Shores. The old brass meters can be recycled and the meters with moderate use can be installed on construction sites which will have a remote read meter installed at the certificate of occupancy inspection. There was some discussion about upgrading the lift station on Highridge with a fiberglass sleeve to extend its useful life and raise it to meet the new road elevation. There was some discussion about the administrative fee for services.

MOTION: Upon a motion made by Mayor Pro-Tem West seconded by Mayor Pro-Tem West, council voted five (5) “ayes”, no (0) “nays” to approve the Budget for Fiscal Year 2020-2021 as presented. *The motion carried.*

ROLLCALL VOTE

Mayor Vargus – present and not voting
Mayor Pro-Tem West - aye
Councilman Bushong - aye
Councilwoman Lepley - aye
Councilman Farage - aye
Councilman Bissonnette - aye

Mayor Vargus reviewed the changes in the tax code which would allow citizens to petition the council to roll back the tax rate if it exceeds 3%, an election would only be required for Lakewood Village if it exceeded the De Minimus Tax Rate which is \$0.9101 for Fiscal Year 2020-2021

**Consideration of Consolidated Fee
Ordinance Regarding Tap Fees and Utility
Rates (Vargus)**

(Agenda Item F.3)

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Mayor Vargus reported on the difference between tap fees and impact fees. Mayor Vargus reported the tap fees were last adjusted in 2014. Since that time Mayor Vargus has completed a fee analysis which indicates the water tap fee should be adjusted to \$2,000 and the sewer tap fee should be \$1,550. Mayor Vargus reviewed the utility rate performance over the last four years. The sewer fund has a negative cash flow of \$112,500, partly due to the unused capacity of the sewer plant. The water fund has a positive cash flow of \$146,624 which is primarily being used to offset the negative flow at the sewer fund. There was some discussion about upsizing of the sewer line on Parkwood due to the LandPlan development and the need for a lift station that will cost approximately \$200,000. Mayor Vargus reported on the possibility of constructing a pre-treatment chamber in the new lift station which might allow the sewer plant to be re-rated for a higher capacity. There was some discussion about the need to install an additional well. There was some discussion about amending the water and sewer rates. Mayor Vargus proposed the sewer rate be amended from \$41.00 to \$45.00. There was discussion about adjusting water rates. Council discussed keeping the base water rate at \$25.00, and adjusting water tier 1 to \$4.75, Tier 2 to \$6.25, and leaving Tier 3 at \$15.00.

MOTION: Upon a motion made by Councilman Bissonnette seconded by Mayor Pro-Tem West, council voted five (5) “ayes”, no (0) “nays” to approve the Consolidated Fee Ordinance changes regarding tap fees and utility rates as discussed. *The motion carried.*

Discussion of Concrete Roads (Vargus)

(Agenda Item F.4)

Mayor Vargus reviewed Ed Bell’s proposal to construct two streets at the same time because they have an additional crew to dedicate to the work being done in town. Mayor Vargus reviewed the cost savings through change orders reduced engineer and Fugro charges.

**Consideration of Development Agreement
with Sam Hill Venture (Vargus)**

(Agenda Item F.5)

Mayor Vargus reported this agreement has been in the works for over a year. Mayor Vargus reported the Town Attorney and Sam Hill Venture have reviewed it. Little Elm Independent School District will be a party to the agreement and will annex into the town. The Development Agreement will need to be re-approved in a few months after the annexation is complete to allow for master zoning of all the property. Mayor Vargus reviewed the improvements Sam Hill Venture will complete in lieu of fees. There was some discussion about building code requirements within the agreement. There was a consensus that this agreement is a positive move forward for the town.

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MOTION: Upon a motion made by Councilwoman Lepley seconded by Councilman Bissonnette, council voted five (5) “ayes”, no (0) “nays” to approve the Development Agreement with Sam Hill Venture. *The motion carried.*

**Consideration of Engagement of Michael
Sullivan for Town Entrance and Design
(West)**

(Agenda Item F.6)

Mayor Pro-Tem West reviewed the history of efforts he, Councilwoman Lepley, and Secretary Asbell have put into meetings and getting bids for this project. Mayor Pro-Tem West reviewed the Sullivan proposal. Mayor Vargus stated that Sam Morgan could do the plumbing of the waterfall portion of the entrance. Mayor Pro-Tem West reported that Michael is certified through the American Association of Landscape Architects. Mayor Pro-Tem West also checked Mr. Sullivan’s reviews and they were all positive. There was some discussion about the end deliverable being full construction plans and cost estimates.

MOTION: Upon a motion made by Mayor Pro-Tem West seconded by Councilman Farage, council voted five (5) “ayes”, no (0) “nays” to approve the engagement of Michael Sullivan for Town Entrance and Design. *The motion carried.*

**Discussion of Future Development of A1169A
B.C. Shahan, TR 44A and TR45B (Vargus)**

(Agenda Item F.7)

Mayor Vargus reported on an email received from a developer about a proposal for to change the zoning from residential to commercial/light industrial use. Mayor Vargus provided feedback from the council reporting that type of change would not be supported. The developer responded that the owner wants to clear the land and create a dirt track in order for them to obtain some use of the property. Mayor Vargus stated that he does not support development negotiation tactics that involve threats to make the property unattractive and a nuisance. Mayor Vargus reported the property has been zoned residential for more than thirty years.

EXECUTIVE SESSION:

(Agenda Item G)

At 9:25 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 Sam Hill Ventures, and Sanctuary at

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Sunset Cove; and, (3) § 551.087 Texas Government Code to wit: Economic Development Negotiations regarding Sam Hill Ventures, and Sanctuary at Sunset Cove

RECONVENE:

(Agenda Item H)

Mayor Vargus reconvened the regular session at 9:47 p.m. No action was taken.

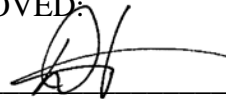
ADJOURNMENT

(Agenda Item I)

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 9:47 p.m. on Thursday August 13, 2020. The motion carried.

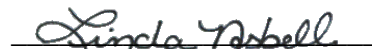
These minutes approved by the Lakewood Village Town Council on the 10th day of September 2020.

APPROVED:



Darrell West
MAYOR PRO-TEM

ATTEST:


Linda Asbell, TRMC, CMC
TOWN SECRETARY

