

LAKWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

OCTOBER 17, 2018

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

SPECIAL SESSION - 7:00 P.M.

With a quorum of the Council Members present, Mayor Vargus called the Special Meeting of the Town Council to order at 7:00 p.m. on Wednesday, October 17, 2018, 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 September 13, 2018 Council Meeting (Asbell)
2. Minutes of September 21, 2018 Council Meeting (Asbell)

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

REGULAR AGENDA:

(Agenda Item D)

**Consideration of Variance Request for
Garage Door Set-Back at 655 Woodcrest
Drive (Asbell)**

(Agenda Item D.1)

Brittney Bissonnette requested a garage door setback of 26.5 feet from the property line rather than the required 28 feet. The house will have a side-entry garage. Mayor Vargus reported that many houses in the area of 665 Woodcrest have front entry garages. The Bissonnette garage will exceed the minimum size requirement. There was some discussion about the driveway encroaching into the setback.

MOTION: Upon a motion made by Councilman West and seconded by Councilwoman Shields, council voted five (5) “ayes”, no (0) “nays” to approve the request for the garage door set back of 26.5 feet from the property line as requested. *The motion carried.*

**Discussion of TCEQ Waste Water Plant
Inspection Results (Vargus)**

(Agenda Item D.2)

Mayor Vargus reported that Texas Commission on Environmental Quality inspects the wastewater plant every three to five years. Under a previous operator, the waste water plant received numerous discharge and documentation violations. Since the town switched to the new operator all the previous problems have been resolved. Mayor Vargus reviewed the inspection report and findings. All findings have already been addressed and accepted by TCEQ. There are no violations.

**Discussion of Planned Drainage
Improvements (Vargus)**

(Agenda Item D.3)

Mayor Vargus reviewed photographs of current drainage problems on Peninsula Drive at Shoreline Drive. Mayor Vargus also reviewed drainage problems at Carrie Lane south of Melody Lane that will be corrected when concrete streets are installed in that area. Mayor Vargus reviewed photographs of a drainage problem at 431 Peninsula. There was discussion about correcting the drainage on Peninsula by enlarging the culverts under the driveways and removal of the trees that grew in the bar-ditch.

**Discussion of Current Critical Water
Conditions (Vargus)**

(Agenda Item D.4)

Mayor Vargus notified the council that the stage three water restrictions have been lifted. The steel tank has been taken off-line to make repairs which will be completed within the next several days. Mayor Vargus reported that the town is preparing to lower the pump in well three. Cost estimates will be prepared and provided to council. In the last week the well pumps ran approximately three hours per day compared to running twenty hours per day in the prior months.

**Consideration of Candidate Forum and
Electioneering Ordinance (Vargus)**

(Agenda Item D.5)

Mayor Vargus reviewed the proposed changes made based on feedback from council at the previous meeting. There was some discussion about the schedule for the candidate forum.

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

**Discussion of Republic Services Rate
Contract (Vargus)**

(Agenda Item D.6)

Town Secretary Asbell reported on the negotiations for terms of the new contract. Mayor Vargus stated the new contract would not start until January 2020 and the first increase in rate would take place at the end of year two. Council will consider the contract at the next council meeting.

**Discussion of Financial Control Ordinance
(Vargus)**

(Agenda Item D.7)

Mayor Vargus reported this ordinance consolidates several ordinances relating to financial controls. The ordinance incorporates requirements established by the auditor. There was some discussion about the authority to task the town attorney as a means of financial control. Council discussed presenting an ordinance to council prior to requesting the Town Attorney to review the ordinance. There was some discussion about the need to clarify what a “task” is for the purposes of access to the attorney. Mayor Vargus reported that he wrote the 2007 Financial Disclosures ordinance because at the time there was no financial disclosure. The intent of the ordinance originally was to provide transparency and allow citizens to feel confident that finances were

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tracked and recorded correctly. Mayor Vargus reported that the basic disclosures have been incorporated into the new financial control ordinance. There was some discussion about the conflict-of-interest form. Mayor Vargus reviewed the fund balance policy as required by investment and credit rating companies. Mayor Vargus proposed maintaining thirty-three percent of budgeted expenditures in the bank account, most municipalities maintain twenty-five percent. There was some discussion about the stated corrective actions in the event the fund balances go below twenty-five percent. Councilman Bushong stated he would work with Mayor Vargus on incorporating council feedback into the ordinance for presentation at the next council meeting.

Discussion of Zoning Ordinance (Vargus)

(Agenda Item D.8)

Mayor Vargus reviewed the process for changing the zoning ordinance. Mayor Vargus reviewed all variances granted by council 2015-2018. There was some discussion about changing zoning requirements to reflect variances that are typically granted. There was some discussion about portable storage buildings inside side-yard setbacks. There was some discussion about limiting flatwork extending into the side yard setback. There was some discussion on the 80 percent masonry and roof pitch requirement. Council discussed lot size, density requirements, and planned developments. There was some discussion about development of large parcels of property in town.

EXECUTIVE SESSION:

(Agenda Item E)

At 9:01 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 regarding property damage claim involving Republic Services. (2) § 551.072 Texas Government Code to wit: deliberations about real property; (3) § 551.087 Texas Government Code to wit: Economic Development Negotiations; (4) § 551.076 Texas Government Code to wit: deliberations about Security Devices; and (5) § 551.074, Texas Government Code to wit: Personnel Matters, Evaluation of the Town Administrator/Town Secretary

RECONVENE:

(Agenda Item F)

Mayor Vargus reconvened the special session of the Lakewood Village Town Council at 9:33 p.m. No action was taken.

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REPORTS

(Agenda Item G)

Mayor Vargus reported that Mr. Wayne Nabors will be at Town Hall from October 30th through November 2nd to perform the annual financial audit.

ADJOURNMENT

(Agenda Item H)

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Councilman Bushong council voted five (5) “ayes” and no (0) “nays” to adjourn the Special Meeting of the Lakewood Village Town Council at 9:35 p.m. on Wednesday, October 17, 2018. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 8th day of November 2018.

APPROVED

Ed Reed
MAYOR PRO-TEM

ATTEST:

Linda Asbell, TRMC, CMC
TOWN SECRETARY