

**LAKWOOD VILLAGE TOWN COUNCIL**

**COUNCIL MEETING**

**SEPTEMBER 10, 2015**

**Council Members:**

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

**Town Staff:**

Linda Asbell, TRMC, Town Secretary

**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 7:04 p.m. on Thursday, September 10, 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

**PRESENTATION:**

**(Agenda Item B)**

Mayor Vargus presented a proclamation designating September 17th through September 23<sup>rd</sup> as Constitution Week. The proclamation was received by Nancy Kudich of the Preston Ridge Chapter of the Daughters of the American Revolution.

**VISITOR/CITIZENS FORUM:**

**(Agenda Item C)**

No one requested to speak.

**PUBLIC HEARING:**

**(Agenda Item D)**

**LAKWOOD VILLAGE TOWN COUNCIL  
REGULAR SESSION  
SEPTEMBER 10, 2015**

A public hearing was scheduled on the proposed property tax rate of \$0.25/\$100 and interest and sinking tax rate of \$0.05/\$100 to provide an opportunity for citizen comment. Mayor Vargus opened the public hearing at 7:03 p.m.

Mayor Vargus reported that the maintenance and operation tax rate proposed is \$0.25/\$100 which is the same rate for the last 38 years. The interest and sinking rate will be \$0.05/\$100 which is also the same as last year and is tied directly to the debt for the concrete roads. When the debt for the roads is paid off the interesting and sinking rate will no longer apply. There was some discussion about paying off the debt early or refinancing the debt to extent the concrete roads into other areas of town.

**MOTION:** Upon a motion made by Councilman Getka and seconded by Councilman Reed the Council voted four (4) “ayes” and no (0) “nays” to close the public hearing at 7:06 p.m. The motion carried.

**CONSENT AGENDA:**

**(Agenda Item E)**

1. Minutes of the July 9, 2015 Council Meeting (Asbell)
2. Minutes of the August 13, 2015 Council Meeting (Asbell)
3. Minutes of the September 2, 2015 Council Meeting (Asbell)

**MOTION:** Upon a motion made by Councilman Getka and seconded by Councilman Bushong the Council voted four (4) “ayes” and no (0) “nays” to approve the consent agenda items as presented. *The motion carried.*

**REGULAR AGENDA**

**(Agenda Item F)**

**Consideration of Ordinance Adopting the  
2015 Property Tax Rate of \$0.30/\$100  
(Vargus)**

**(Agenda Item F.1)**

**MOTION:** Upon a motion made by Councilman Bushong and seconded by Councilman Reed, council voted four (4) “ayes” and no (0) “nays” to approve Ordinance 15-14 adopting the 2015 Property Tax rate of \$0.30/\$100. *The motion carried.*

Town Secretary, Linda Asbell, Called for a Roll-Call Vote:

Mayor Pro-Tem Menckhoff	Aye
Councilman Reed	Aye
Councilman Bushong	Aye
Councilman Getka	Aye

**Consideration of Ratification of Ordinance  
15-11 Adopting the Fiscal Year 2015-2016  
Budget (Vargus)**

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**(Agenda Item F.2)**

**MOTION:** Upon a motion made by Mayor Pro-Tem Menckhoff and seconded by Councilman Getka, council voted four (4) “ayes” and no (0) “nays” to ratify Ordinance 15-11 Adopting the Fiscal Year 2015-2016 Budget. *The motion carried.*

Town Secretary, Linda Asbell, Called for a Roll-Call Vote:

Mayor Pro-Tem Menckhoff	Aye
Councilman Reed	Aye
Councilman Bushong	Aye
Councilman Getka	Aye

**Discussion on Water/Wastewater System  
(Vargus)**

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**(Agenda Item F.3)**

Mayor Vargus introduced Mark Patterson of Patterson Professional Services. Mr. Patterson reviewed the wastewater system, reporting that the system is doing very well. Mr. Patterson reported that the wastewater system is running approximately 50% capacity. There is a TCEQ trigger at 75% capacity which requires the town to begin preparing for expansion. There was some discussion on the current permit which expires in October 2016. Mr. Patterson reported on the wastewater plant re-permitting process. All tests have come back well within required parameters. There was some discussion about the use of recycled water at the wastewater plant. Mr. Patterson reported on the status of the water system. All cities using groundwater in North Texas experienced the same reduction of water in the aquifer as Lakewood Village did last week. Mr. Patterson reported that many of the additional requirements on the water system, which are triggered at 250 connections, have already been in place in Lakewood Village for many years. Mr. Patterson reported that he is the president of the ground water conservation district that neighbors the one the town falls under. Groundwater conservation districts have created ground water availability models which will forecast the levels of the aquifers based on the varying and continued usage over the next 50 years. Studies are currently being done that will establish timeframes for municipalities to move to the use of surface water. There was some discussion about whether or not aquifers will replenish over time. There was some discussion about implementation of long-term water restrictions.

**Discussion on Status of Well Condition and  
Water Restrictions (Vargus)**

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**(Agenda Item F.4)**

Mayor Vargus reported that Well #2 is operating normally. The well pump has been lowered and the town is now monitoring the amount of water over the pump. Mayor Vargus reported that the town can operate with only two wells as long as there is no irrigation. Councilman Bushong reported that water consumption in August was approximately 60% over consumption in August of 2014. Mayor Vargus reported that the town typically turns off one well during the winter. The irrigation restriction to two days will probably stay in place another week and then council will re-evaluate the condition of the wells. Mayor Vargus reported that the town ran the water system at 60psi and approximately seven years ago the town went from 60psi to 70psi to compensate for a small water main along Lakecrest Drive. The water main has been replaced and during the recent water event the water pressure was set back to the original design parameters for the water system of 60psi. There was some discussion about the frequency of breaks in irrigation lines and the corresponding water loss. There was also discussion about leaks in swimming pools and the possibility of the auto-fill failing. Mayor Vargus reported that Lakewood Village has an agreement for emergency water with the Town of Little Elm. There was some discussion about a permanent emergency interconnect with the Town of Little Elm well nearest to Lakewood Village which would be installed in the near future.

**Consideration of Variance Request for Front Facing Garage and Garage Dimensions for 447 Hillside (Vargus)**

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**(Agenda Item F.5)**

Mayor Vargus reported that 447 Hillside is the smallest lot in the town. Due to the small size of the lot it cannot accommodate the garage size required by the zoning ordinance. The proposed garage is 23.6' by 22.1' and it is front facing.

**MOTION:** Upon a motion made by Mayor Pro-Tem Menckhoff and seconded by Councilman Getka, council voted four (4) "ayes" and no (0) "nays" to approve the variances as requested for 447 Hillside. *The motion carried.*

**Consideration of Variance Request for Side-Yard Set-back for Driveway Extension at 470 Peninsula Drive (Vargus)**

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**(Agenda Item F.7)**

Mayor Vargus introduced property owner Mike Lindley. Mr. Lindley reported that he is requesting a variance to extend his driveway into the setback and leave one foot of space between the edge of the driveway and the property line. The driveway extension will not put his impermeable surface area over the 50% maximum allowable by the zoning ordinance.

**LAKEWOOD VILLAGE TOWN COUNCIL  
REGULAR SESSION  
SEPTEMBER 10, 2015**

**Page 5**

**MOTION:** Upon a motion made by Councilman Getka and seconded by Mayor Pro-Tem Menckhoff, council voted four (4) “ayes” and no (0) “nays” to approve the variance as requested for 470 Peninsula. *The motion carried.*

**Consideration of Variance Request for Front  
Yard Fence for 770 Carrie (Vargus)**

**(Agenda Item F.6)**

Mayor Vargus reported the owner of the property at 770 Carrie has requested this item be withdrawn from consideration.

**EXECUTIVE SESSION:**

**(Agenda Item G)**

At 8:05 p.m. Mayor Vargus recessed into executive session in compliance with (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; and (3) § 551.087 Texas Government Code to wit: Economic Development Negotiations.

**RECONVENE:**

**(Agenda Item H)**

Mayor Vargus reconvened the regular session of the Lakewood Village Town Council at 8:59 PM.

**COUNCIL AND STAFF COMMENTS**

**(Agenda Item I)**

No comments were made

**ADJOURNMENT**

**(Agenda Item J)**

**MOTION:** Upon a motion made by Mayor Pro-Tem Menckhoff and seconded by Councilman Reed, council voted four (4) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lakewood Village Town Council at 8:59 p.m. on Thursday, September 10, 2015. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 21st day of October 2015.

**LAKWOOD VILLAGE TOWN COUNCIL  
REGULAR SESSION  
SEPTEMBER 10, 2015**

**Page 6**

APPROVED

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Dr. Mark E. Vargus  
MAYOR

ATTEST:

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Linda Asbell, TRMC  
TOWN SECRETARY