

LAKEWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

NOVEMBER 12, 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, November 12, 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 requested annexation of A0339A C.C. Dickson, Tr 2A, 14.9108 acres, and A0339A C.C. Dickson, Tr 2A (1), 0.164 acres.

No one requested to speak.

**LAKEWOOD VILLAGE TOWN COUNCIL
REGULAR SESSION
NOVEMBER 12, 2020**

Page 2

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilman Farage, council voted five (5) “ayes”, no (0) “nays” to close the public hearing at 7:03 pm. *The motion carried.*

REGULAR AGENDA:

(Agenda Item D)

**Consideration of Variance for 424 Peninsula,
Front Facing Garage (Asbell)**

(Agenda Item D.1)

Mayor Vargus reported this property is irregularly shaped and has a large flood plain on the back of the property.

MOTION: Upon a motion made by Councilwoman Lepley seconded by Councilman Bissonnette, council voted five (5) “ayes”, no (0) “nays” to approve the variance as requested for a front facing garage. *The motion carried.*

Discussion of Concrete Roads (Vargus)

(Agenda Item D.2)

Mayor Vargus reported on some drainage issues on Carrie Lane and reviewed the funding gap. Mayor Vargus reported on a large change order for dirt work that is outstanding and will be a savings of between \$50,000 and \$100,000. There was some discussion about the drop inlets for storm drainage, the need to lower the water main and issues with a drainage pipe on a property at Woodcrest Drive and Highridge Drive. There was some discussion about the pour schedule for the next two weeks. Mayor Vargus reviewed the process for accepting roads and providing the contractor with a punch-list of corrections.

**Discussion of Traffic Warrant Study
(Vargus)**

(Agenda Item D.3)

Mayor Vargus reported the Texas Transportation Code sets out guidelines for obtaining approval for a traffic light. Mayor Vargus stated there are nine criteria the Town Engineer followed to determine the feasibility of the traffic light.

Eric Hancock, 8249 Treemont Pl, Frisco, reported he is one-third owner of the property at the entrance to town. Mr. Hancock stated the current town entrance is the only existing entrance to their property. Mr. Hancock stated this is the first time the council has discussed removing the entrance. Mr. Hancock reported that he contacted the Town Secretary and she indicated that he would continue to have access to your property as indicated in the most current thoroughfare plan. Mr. Hancock reported that Town Secretary Asbell told him he could have spoken to the

**LAKEWOOD VILLAGE TOWN COUNCIL
REGULAR SESSION
NOVEMBER 12, 2020**

Page 3

council regarding any concerns when the town council was discussing the thoroughfare plan. Mr. Hancock stated he would consider removing the entrance as devaluing his property and would be an unconstitutional taking of his property. Mr. Hancock reviewed errors he believes are in the Town Engineer's report on the traffic warrant. Mr. Hancock stated the town can build a new entrance for town but does not want the town to violate his constitutional rights by demolishing the current entrance.

Mayor Vargus reviewed the previous engineering study analyzing three locations, the many previous public hearings on the entrance and the thoroughfare plan. There was some discussion about providing the engineer with some redlines to correct some of the errors and clarify some language. Mayor Vargus stated the report indicates Lakecrest will be abandoned, but all properties will still be accessible. Councilman Bushong reported on the benefits of obtaining a traffic light and partnering with a developer on cost. Councilman Bushong stated the benefits are worth him driving a little longer distance to get to the entrance.

**Consideration of Municipal Services
Agreement with LEISD (Asbell)**

(Agenda Item D.4)

Town Secretary Asbell reported on communications with representatives of Little Elm Independent School District and their attorney. Town Secretary Asbell stated this agreement has been reviewed and placed on the school board agenda for approval on November 16, 2020. Mayor Vargus reviewed the annexation process.

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 Municipal Services Agreement with Little Elm Independent School District. *The motion carried.*

**Consideration of Contract for
Water/Wastewater Operations (Vargus)**

(Agenda Item D.5)

Mayor Vargus reported that Patterson Professional Services contract expires at the end of the month. There was some discussion about the condition of the sewer plant. Mayor Vargus reported that he has interviewed Brent Piggot and he will be hired as an employee. Mayor Vargus reported on the benefits to the town to operate in-house. Mr. Piggot will be paid \$1,000 per month for regulatory compliance and paperwork, and \$1,000 each month for daily operations. Mr. Sam Morgan will obtain his water license in the near future and at that point he will take over operations. There was some discussion about reading meters. Mayor Vargus reviewed the cost savings to the town and the future plans for operations. Mayor Vargus stated the financial controls ordinance allows him to hire temporary employees, so no action is required by council at this point.

MOTION: *No motion was made.*

**Discussion of Rocky Point Water
System/Last Resort Water System (Vargus)**

(Agenda Item D.6)

Mayor Vargus reported that the interconnect between Rocky Point water system and Last Resorts water system is in place. Mayor Vargus reported that it was discovered that the “water main” in the Last Resort Water System is a one-inch irrigation pipe. There was some discussion about plans to connect the Last Resort water system to the six-inch water main which was stubbed out from the Rocky Point water system on Garza Lane. Mayor Vargus reported that he is working on the sale-transfer-merger application for taking ownership of the Last Resort water system. There was some discussion about billing rates and the process for setting up the Last Resort water customers.

**Discussion of Remote Read Water Meters
(Vargus)**

(Agenda Item D.7)

Mayor Vargus reported that Mayor Pro-Tem West has done a lot of research on remote read meters. Master Meter seems to be the best fit for Lakewood Village because it does not require cellular data or special meter boxes. There was some discussion about the integration between the Master Meter and MuniBilling systems. Mayor Vargus reported on the alerts and notifications available through the Master Meter system. There was some discussion about the regulation of lead used in water meters. A tower which is 60 feet tall is required for remote read meters which will broadcast one and one-half miles. After the tower is installed the town can install repeaters on light poles. There was some discussion about installing the tower on the property owned by the town in Rocky Point or obtaining approval from Denton County to install a tower on one of the small lots at the foot of the toll bridge. The cost of the tower, integration, and first year start up is approximately \$80,000. After the first year the cost is approximately \$3,000 annually. The cost of a remote read meter and installation is approximately \$500. There was some discussion about cost sharing with another water system or municipality. There was some discussion about a phased approach to transitioning to remote read meters.

**Discussion of Parking in Construction Zones
(Vargus)**

(Agenda Item D.8)

Mayor Vargus stated that issues have come up regarding on-street parking in construction areas. There was discussion about posting of signs and enforcement.

Discussion of Nuisance Ordinance (Vargus)

(Agenda Item D.9)

Mayor Vargus reviewed the history of the nuisance ordinance. There was some discussion about including of a provision restricting noise. Mayor Vargus stated the ordinance could be written so the owner of the property is also held responsible for violations on property being used or rented by another.

EXECUTIVE SESSION:

(Agenda Item G)

At 8:27 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) § 551.071(1) Texas Government Code to wit: Consultation with the Town Attorney regarding pending or contemplated litigation, re: Town of Lakewood Village V. Patterson Professional Services; (3) § 551.074 Texas Government Code to wit: Personnel Matters – Annual Performance Review of Town Secretary; (4) § 551.072 Texas Government Code to wit: deliberations about real property regarding Sam Hill Ventures, Sanctuary at Sunset Cove, and Project Left Field; and (5) § 551.087 Texas Government Code to wit: Economic Development Negotiations regarding Sam Hill Ventures, and Sanctuary at Sunset Cove, and Project Left Field.

RECONVENE:

(Agenda Item F)

Mayor Vargus reconvened the regular session at 9:22 p.m. No action was taken.

ADJOURNMENT

(Agenda Item G)

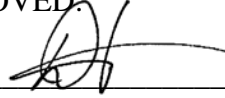
MOTION: Upon a motion made by Councilwoman Lepley and seconded by Councilman Bushong council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Meeting of the Lakewood Village Town Council at 9:22 p.m. on Thursday November 12, 2020. The motion carried.

**LAKEWOOD VILLAGE TOWN COUNCIL
REGULAR SESSION
NOVEMBER 12, 2020**

Page 6

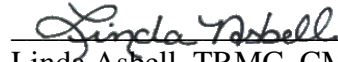
These minutes approved by the Lakewood Village Town Council on the 10th day of December 2020.

APPROVED:



Darrell West
MAYOR PRO-TEM

ATTEST:



Linda Asbell, TRMC, CMC
TOWN SECRETARY

