



6351 PRESTON RD.  
FRISCO, TEXAS 75034  
3<sup>RD</sup> FLOOR CONFERENCE ROOM  
TOWN COUNCIL MEETING  
MARCH 21, 2024 6:00 P.M.

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## SPECIAL SESSION – AGENDA

Call to Order and Announce a Quorum is Present

**A. PLEDGE TO THE FLAG:**

**B. PROCLAMATION: International Dark Sky Week**

**C. VISITOR/CITIZENS FORUM:** Pursuant to Texas Government code 551.007 (adopted in 2019): A governmental body shall allow each member of the public who desires to address the body regarding an item on an agenda for an open meeting of the body to address the body regarding the item at the meeting before or during the body's consideration of the item. A person who addresses the Council concerning an agenda item, including a Public Hearing, must limit his/her remarks to the specific subject matter being considered by the Council under that agenda item.

**D. PUBLIC HEARING** – A public hearing is scheduled to provide an opportunity for citizen comment on the critical water emergency.

**E. CONSENT AGENDA:** All the items on the Consent Agenda are considered to be self-explanatory and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member requests an item be removed from the Consent Agenda.

1. Minutes of February 14, 2024 (Ruth)
2. Ordinance Cancelling General Election for May 4, 2024 (Ruth)
3. Variance for Driveway Encroachment for Arbors on Hidden Cove Drive (Ruth)
4. Preliminary Plat for Northshore Phase II (Ruth)

**F. EXECUTIVE SESSION:** – In accordance with Texas Government Code, Section 551.001, et seq., the Town Council will recess into Executive Session (closed meeting) to discuss the following:

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, zoning standards, and eminent domain; and
2. § 551.087 Texas Government Code to wit: Economic Development Negotiations regarding Taylor Morrison-South Oak, Arbors & Enclave, Northshore; The Villas, Northshore II, Herrera, The Preserve at Lakewood Village; and
3. § 551.071, Texas Government Code to wit: Consultation with the Town Attorney regarding

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pending or contemplated litigation, re: Town of Lakewood Village V. Hydro Resources Mid-Continent, Inc

4. § 551.072 Texas Government Code to wit: deliberations about real property regarding Taylor Morrison-South Oak, Arbors & Enclave, Northshore; The Villas, Northshore II, Herrera, The Preserve at Lakewood Village; and
5. § 551.074 Texas Government Code to wit: Personnel Matters, Appointments to Boards; and,
6. § 551.076 Texas Government Code to wit: deliberations about Security Devices.

**G. RECONVENE:** Reconvene into regular session and consideration of action, if any, on items discussed in executive session.

**H. ADJOURNMENT**

I do hereby certify that the above notice of meeting was posted on the designated place for official notice at 5:30 p.m. on Monday, March 18, 2024.



  
\_\_\_\_\_  
Linda Ruth, TRMC, CMC  
Town Administrator/Town Secretary

The Town Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development), 418.183 (Homeland Security)

This facility is wheelchair accessible and accessible parking spaces are available. Please contact the Town Secretary's office at 972-294-5555 or FAX 972-292-0812 for further information.

One or more board members of the LAKEWOOD VILLAGE MUNICIPAL DEVELOPMENT DISTRICT may attend this meeting. No action will be taken by the MDD board.



# *Proclamation*

## *Of The Town of Lakewood Village*

**WHEREAS:** 80 percent of the world's population, including the entirety of the Town of Lakewood Village live under a dome of light pollution. Light pollution is excessive artificial lighting at night that disrupts natural darkness. This lighting acts as a barrier for individuals who may never experience the visual wonder or ecological and health benefits of living under a dark star-filled sky; and

**WHEREAS:** light pollution has scientifically established economic and environmental consequences which result in significant impacts on the ecology and human health of all affected communities. Health effects such as increased rates of cancer, sleep and mental health issues, occur due to the disruption of circadian rhythms; and

**WHEREAS:** light pollution is harmful to urban ecosystems. It is one of the primary drivers in insect declines, including Monarch Butterfly, Texas' official state insect, due to its detrimental impacts on mating, and migration. Additionally, light pollution is disorienting and often lethal to thousands of migratory birds passing through Texas that make their journeys by navigating of the moon and stars; and

**WHEREAS:** today the Town of Lakewood Village joins the Dark Sky International to celebrate the night sky, raise awareness of light pollution, and promote the use of environmentally responsible lighting around the world to encourage the protection of dark skies and responsible outdoor lighting;

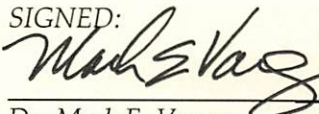
**NOW, THEREFORE I, Dr. Mark E. Vargus, Mayor of the Town of Lakewood Village in the State of Texas do hereby proclaim the week of April 2<sup>nd</sup> through April 8<sup>th</sup> 2024 as**

## *Dark Sky Week*

*in the Town of Lakewood Village, and ask all citizens join me in this observation.*

**IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Town to be affixed this 21<sup>st</sup> day of March of the year 2024.**

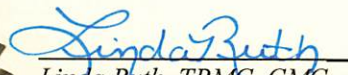
SIGNED:



Dr. Mark E. Vargus  
Mayor



ATTEST:



Linda Ruth, TRMC, CMC  
Town Secretary

**LAKEWOOD VILLAGE TOWN COUNCIL**

**COUNCIL MEETING**

**FEBRUARY 8, 2024**

**Council Members:**

Dr. Mark Vargus, Mayor  
Darrell West – Mayor Pro-Tem  
Clint Bushong  
Serena Lepley  
Matt Bissonnette - ABSENT  
Eric Farage

**Town Staff:**

Linda Ruth, TRMC, CMC – Town Administrator/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 7:01 p.m. on Thursday, February 8, 2024, 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 citizen comment on the critical water emergency.

No one requested to speak.

**MOTION:** Upon a motion made by Mayor Pro-Tem West and seconded by Councilwoman Lepley the council voted four (4) “ayes”, no (0) “nays” to close the public hearing at 7:01 p.m. *The motion carried.*



**PUBLIC HEARING:**

**(Agenda Item D)**

A public hearing was held to provide an opportunity for citizen comment on a proposed zoning change to property described as All that certain 19.94 acre tract or parcel of land situated in the B. Shahan Survey, Abstract Number 1169, County of Denton, State of Texas, said tract being part of a called 19.95 acre tract as described in deed to Lakewood Bridge LLC, recorded 04 October 2016, and recorded in instrument number 124527 of the Deed Records of said Denton County Texas, Single-Family Residential – District 6 zoning to Planned Development – PD

Sandra Viscuso, 316 Hillside, inquired about the reason the town is changing the zoning regulations to accommodate developers. Mayor Vargus reported the current one-acre zoning was put in place around 2002. The current one-acre zoning is not economically viable for development. Developers are willing to negotiate with the town by donating water-front, additional park space, and other benefits. Allowing additional sizes of lots to be developed creates a housing product that is not currently available to Lakewood Village citizens. The town currently has lots that are approximately one-quarter acre and lots that are one acre and larger. There was some discussion about the side-yard setbacks in the various areas of town.

**MOTION:** Upon a motion made by Councilwoman Lepley and seconded by Councilman Farage the council voted four (4) “ayes”, no (0) “nays” to close the public hearing at 7:07 p.m. *The motion carried.*

**CONSENT AGENDA:**

**(Agenda Item E)**

1. Minutes of January 11, 2024 (Ruth)
2. Ordinance Calling a General Election for May 4, 2024 (Ruth)

**MOTION:** Upon a motion made by Councilman Farage and seconded by Mayor Pro-Tem West the council voted four (4) “ayes”, no (0) “nays” to approve the consent agenda items as presented. *The motion carried.*

**REGULAR AGENDA:**

**(Agenda Item F.**

**Consideration of Zoning for Northshore Phase II (Ruth)**

**(Agenda Item F.1)**

There was some discussion about builder compliance with the garage size requirement.

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**MOTION:** Upon a motion made by Mayor Pro-Tem West and seconded by Councilman Farage the council voted four (4) “ayes”, no (0) “nays” to accept the audit as presented. *The motion carried.*

**Consideration of Authorization of Mayor to  
Begin Eminent Domain Process for North  
Lakewood Village Drive (Vargus)**

**(Agenda Item F.2)**

Mayor Vargus reported that the engineers have been engaged to design the road. The town attorney has outlined the process to be followed for eminent domain. A survey will be completed, and an official offer will be made on the portion of the property that will be condemned through eminent domain. The town attorney has advised most eminent domain processes are settled for purchase of the land before a final decision by the tribunal is made.

Sandra Viscuso, 316 Hillside Drive, asked why the eminent domain process is being used. Mayor Vargus explained the process and the reason it is needed in the situation of the new entrance for the Lakewood Village Drive.

**MOTION:** Upon a motion made by Mayor Pro-Tem West and seconded by Councilwoman Lepley the council voted four (4) “ayes”, no (0) “nays” to authorize the Mayor to begin eminent domain process for North Lakewood Village Drive. *The motion carried.*

**Consideration of Ratification of Lift Station  
Reallocation (Vargus)**

**(Agenda Item F.3)**

Mayor Vargus reported in March of 2023 the engineer estimated the cost of the regional lift station and completed a recalculation based on the actual cost of the contracts for construction.

**MOTION:** Upon a motion made by Mayor Pro-Tem West and seconded by Councilman Farage the council voted four (4) “ayes”, no (0) “nays” to ratify the reallocation dollar amounts to developers for the regional lift station. *The motion carried.*

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**Discussion of Town Capital Improvement  
Projects (Vargus)**

**(Agenda Item F.4)**

Mayor Vargus reported the status of the well construction. Mayor Vargus reported on the meeting with the company contracted to build the ground storage tank, construction is expected to be completion date. The foundation for the new public works building was poured earlier today. The building is expected to be completed in mid-April.

Mayor Vargus reviewed the equipment the town has recently purchased. The town purchased four large pieces of equipment for \$364,844, but the town has earned nearly that amount in interest fees and will have the ability to charge equipment fees on projects. The town has already covered most of the cost of the equipment without using any of the bond funds. The equipment purchased will save the town in rental fees. The balance of the equipment will be paid off within the next several months.

The recycled water project is being designed and the town is working closely with the school district on the construction plan for Lakewood Village Elementary School. There was some discussion about inspections to be performed during the construction of the school.

The water restrictions are still in place and will need to remain until the new well is fully completed and online.

**Discussion of Rocky Point & Last Resorts  
Improvement (Vargus)**

**(Agenda Item F.5)**

Mayor Vargus reported on the status of the installation of the automated generator. A new wooden security fence has been completed to protect the water system and keep the new generator secure. One of the requirements of the Northshore Phase II development is to pay for a water line to be constructed to connect that development and the Rocky Point Water system. The Rocky Point water system and the Municipal Development District self-funded all improvements and did not require any funds from the town.

**Discussion of Remote Read Pilot Program  
(Vargus/Bushong)**

**(Agenda Item F.6)**

Mayor Vargus reviewed the 25-account pilot program for remote reading water meters in the Rocky Point Water System. Councilman Bushong reported on the lack of connectivity between the meters and the Munibilling utility billing system. Councilman Bushong reported on a system update that Munibilling has planned that will likely resolve the connectivity concerns. Councilman Bushong reviewed the successful leak detection experiences with the remote read system. There

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was some discussion about implementation of the remote read meters in Lakewood Village. Councilman Bushong explained the difference between a true “remote read” meter system and a “drive-by meter read system”. Lakewood Village is implementing a true remote read system which will allow customers to monitor their system daily.

**Discussion of South Oak Phase III Status  
(Vargus)**

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**(Agenda Item F.7)**

Councilman Bushong reported the South Oak has currently pulled 23 house permits. Taylor Morrison is very responsive and has been a good partner with the building department. There are nine houses currently under construction. There was some discussion about compliance with the requirement to have a roll-off on a construction site. There was some discussion about the concerns the town has with broken water mains and the impact that has on the water system.

**Discussion of New Town Hall (Ruth)**

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**(Agenda Item F.8)**

Mayor Vargus reported on a meeting with the architects. Mayor Vargus stated from a practical standpoint the town needs to be in a position to serve all the citizens with the additional growth from the developments underway right now. Mayor Vargus discussed incorporating a mail facility to serve everyone which will provide a secure room protected from the weather. Mayor Vargus addressed the need to have a council chamber to serve the anticipated 2500 population we will have in the next six years. There was some discussion about the need to expand office space to accommodate increased staff. Town Hall will need to be built with the plan for additional departments and staff. The current town hall can be used in the future as a community room or town hall annex. The vision of the town needs to be reflected in the town hall that serves its citizens. The town cannot continue to serve the citizens within the confines of the current town hall which does not function efficiently.

Mayor Vargus reported on the practicality of the design of the new town hall. Mayor Pro-Tem West stated the new town hall is a necessity. Mayor Pro-Tem West reviewed all the large projects that have been accomplished and the new town hall is the last big project that needs to be completed. Mayor Pro-Tem West stated building the new town hall is good for the town and it will set up future town councils for success.

Mayor Vargus reported that he thinks the most practical method to build is for the town to act as its own general contractor. This will give the town more control over construction choices and timeline. Town Administrator Ruth reviewed the contract process.



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Mayor Vargus reviewed the anticipated timeline. The bonds would be issued in early December 2024, construction would begin in early 2025, and construction would be completed at the end of 2025. Lakewood Village Elementary School will be open and accepting students in August 2025.

**EXECUTIVE SESSION:**

**(Agenda Item G)**

At 8:09 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, zoning standards, and eminent domain; and
2. § 551.087 Texas Government Code to wit: Economic Development Negotiations regarding First Texas Homes, Taylor Morrison-South Oak, Northshore, The Villas; and
3. § 551.071, Texas Government Code to wit: Consultation with the Town Attorney regarding pending or contemplated litigation, re: Town of Lakewood Village V. Hydro Resources Mid-Continent, Inc
4. § 551.072 Texas Government Code to wit: deliberations about real property regarding First Texas Homes, Taylor Morrison-South Oak, Northshore; The Villas.

**RECONVENE:**

**(Agenda Item H)**

Mayor Vargus reconvened the regular session at 8:28 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 four (4) “ayes” and no (0) “nays” to adjourn the Regular Meeting of the Lakewood Village Town Council at 8:29 p.m. on Thursday, February 8, 2024. The motion carried.

These minutes were approved by the Lakewood Village Town Council on the 21st day of March 2024.

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APPROVED:

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Darrell West  
Mayor Pro-Tem

ATTEST:

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Linda Ruth, TRMC, CMC  
Town Administrator/Town Secretary



**TOWN OF LAKEWOOD VILLAGE**

**ORDINANCE NO: 24-XX**

**AN ORDINANCE CANCELLING THE TOWN OF LAKEWOOD VILLAGE GENERAL ELECTION CURRENTLY SCHEDULED FOR MAY 4, 2024, DECLARING UNOPPOSED CANDIDATES, AND SETTING AN EFFECTIVE DATE.**

WHEREAS, a General Election is currently scheduled for Saturday, May 4, 2024 for the purpose of electing one Mayor and town Council members; and

WHEREAS, the Town Secretary has given certification in accordance with Texas Election Code, that no candidate in the general election is opposed on the ballot, EC §2.052, or by a declared write-in candidate, EC §146.052, and no proposition is to appear on the ballot; and

WHEREAS, the Election Code provides for the cancellation of an election and the declaration of the unopposed candidates as elected to office; and

WHEREAS, the Council does not desire to incur public expense by conducting an unopposed election.

**NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS:**

The General Election scheduled for Saturday, May 4, 2024 is hereby cancelled, and that Dr. Mark E. Vargus, Nikki Blackwell, and Serena Lepley are declared to be elected to their respective offices with the terms to begin in the same manner as if an election had taken place.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, on this 21<sup>th</sup> day of March 2024.

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Dr. Mark E. Vargus  
Mayor

**ATTESTED:**

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Linda Ruth, TRMC, CMC  
Town Administrator/Town Secretary



March 4, 2024

Ms. Linda Ruth  
Town of Lakewood Village  
100 Highridge Drive  
Lakewood Village, Texas 75068

***RE: Town of Lakewood Village Northshore Phase II – Preliminary Plat Review and Recommendation***

Dear Ms. Ruth:

Eikon has completed our review of the submitted preliminary plat by the applicant. Based on our analysis, the plat does meet the Town of Lakewood Village guidelines and we recommend approval.

Please let me know any questions.



Regards  
Kevin Ware, PE