

LAKEWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

AUGUST 11, 2011

Council Members:

Mike Schnittker, Mayor, appeared via video conference
Dr. Mark Vargus, Mayor Pro-Tem
Ken Guthrie
Harold Wood
Carl Menckhoff, M.D.
Dave Getka

Town Staff:

Linda Asbell, Town Secretary

REGULAR SESSION - 7:00 P.M.

With a quorum of the Council Members present, Mayor Pro-Tem Vargus called the Town Council to order at 7:03 p.m. on Thursday, August 11, 2011, in the Council Chambers of the Lakewood Village Town Hall, 100 Highridge Drive, Lakewood Village, Texas.

PLEDGE TO THE FLAG

(Agenda Item A)

Mayor Pro-Tem 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 in accordance with Local Government Code § 102.006(c) on the proposed Fiscal Year 2011-2012 budget to provide an opportunity for citizen comment. Mayor Pro-Tem Vargus opened the public hearing at 7:03 p.m.

No one requested to speak.

MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Wood the Council voted five (5) "ayes" and no (0) "nays" to close the public hearing at 7:04 p.m. The motion carried.

REGULAR AGENDA:

(Agenda Item D)

**Consideration of Variance Request for 760
Meadow Lake Pool**

(Agenda Item D.1)

Mr. Simmons reviewed his request for variance. Town ordinance requires a ten-foot distance between the house and the pool and Mr. Simmons' property configuration only allows for less than five feet. Mayor Pro-Tem Vargus verified that Mr. Simmons understands that if the pool company fails to finish the pool then he, as the property owner, is responsible for the permit and completing the work. Mayor Pro-Tem Vargus also clarified the need for a variance for the side-yard setback. There was some discussion about the requirements for obtaining a side-yard setback variance. There was some discussion about the need for engineer approval for pools placed closer than ten feet from the house.

MOTION: No Motion Was Made

Discussion of Electrical Quality Concerns

(Agenda Item D.2)

Mayor Pro-Tem Vargus reported that Town Secretary Linda Asbell requested CoServ attend this meeting, however, they stated they had no one available to attend. Mayor Pro-Tem Vargus reported that CoServ said they rebalanced loads twice a year and he requested the reports and the dates of the rebalancing which CoServ refused to provide. The manufacturer recommended unbalance tolerance on the motors at the water plant is 10 percent and CoServ was providing power with a greater than 20 percent unbalance. After the rebalancing of the phases the unbalance is down to 9 percent. There was some discussion on the total bills incurred to date and the verbal agreement with CoServ that they would cover the expenses if the problem was determined to be their responsibility.

**Consideration of Ordinance Adopting the
Fiscal Year 2011-2012 Budget**

(Agenda Item D.3)

Mayor Schnittker arrived via video conference at 7:26 p.m.

Mayor Pro-Tem Vargus reviewed the budget numbers. The building permit numbers are unknown. Council discussed the lien receipt numbers and the building permit numbers. Council discussed estimating the reserve funds of \$110,000 to be included in the budget. Council discussed street repairs and crack sealing and the possibility of entering an interlocal agreement with the City of Oak Point for crack sealing. Mayor Schnittker stated that he would like to do the crack sealing as soon as possible. Mayor Schnittker reported on some new valves installed to allow water repairs to be made without turning off water to the entire town. There was some discussion on the fire/EMS agreement and the need for a new formula for computing the contract

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cost. Mayor Pro-Tem Vargus reviewed some of the changes recommended by the CoServ energy audit of Town Hall. Mayor Schnittker reported that some new street signs would need to be purchased, i.e.: stop sign for Shoreline, a no lake access sign, and some speed limit signs. Mayor Schnittker reported on a resident that has volunteered to assist with cutting some walking trails at Witt Park. There was some discussion on the development of Witt Park.

Mayor Pro-Tem Vargus reviewed the Utility Fund Revenues. There was some discussion on the sewer expense of \$42.50 per house per month versus the \$34.00 revenue received. Council discussed raising the sewer rate to \$40.00 and not following the increase with an additional incremental adjustment. There was some discussion about the solid waste cost and the amount received per house. Council discussed increasing the rate to \$17.00 per house per month. There was some discussion about utility fund capital expenditures and the possibility of replacing the pressure tank as a capital expenditure. There was some discussion on the Aquamat contract. Councilman Getka requested irrigation be installed at the Town Entrance. There was some discussion on the scheduled maintenance expense for both water and sewer.

MOTION: Upon a motion made by Councilman Guthrie and seconded by Councilman Wood the Council voted five (5) “ayes” and no (0) “nays” to approve ordinance adopting the budget for Fiscal Year 2011-2012 as discussed. The motion carried.

**Consideration of Water / Wastewater
Ordinance**

(Agenda Item D.4)

Mayor Pro-Tem Vargus reviewed the ordinance. Mayor Pro-Tem Vargus reported that the trash collection rate has been included in this ordinance since it appears on the water bill. There was some discussion on requiring a back-flow valve. There was some discussion on the new language regarding the supplemental sewage back-up coverage. The sewer rate will be \$40 per month, the garbage service rate will be \$17 per month. There was some discussion on amending Section M to make a resident responsible for repair costs in the event the meter or components are damaged. There was some discussion on the amount of the deposit for a water account and the possibility of increasing the deposit for a water account held by a person renting a property. Councilman Guthrie distributed a graph of the utility rates which compares billed rates against volume. There was some discussion on the rate structure for water billing.

MOTION: Upon a motion made by Mayor Pro-Tem Vargus and seconded by Councilman Getka the Council voted five (5) “ayes” and no (0) “nays” to approve the water/wastewater ordinance as discussed. The motion carried.

**Consideration of Emergency Water
Ordinance**

(Agenda Item D.5)

Mayor Pro-Tem Vargus reviewed the need for an ordinance that addresses emergency water situations that are related to drought. Mayor Schnittker reviewed green level, yellow level, and red level restrictions and the differences between the original 00-05 ordinance and the proposed ordinance. There was some discussion about including a provision for a warning prior to implementing the fine.

MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Menckhoff the Council voted five (5) “ayes” and no (0) “nays” to approve the emergency water ordinance as discussed. The motion carried.

**Consideration of Minutes of June 9, 2011
Council Meeting**

(Agenda Item D.6)

MOTION: Upon a motion made by Mayor Pro-Tem Vargus and seconded by Councilman Wood the Council voted five (5) “ayes” and no (0) “nays” to approve the June 9, 2011 minutes. The motion carried.

**Consideration of Minutes of July 14, 2011
Council Meeting**

(Agenda Item D.7)

MOTION: Upon a motion made by Councilman Menckhoff and seconded by Mayor Pro-Tem Vargus the Council voted five (5) “ayes” and no (0) “nays” to approve the July 14, 2011 minutes as presented. The motion carried.

(Agenda Item F)

COUNCIL AND STAFF COMMENTS:

Town Secretary, Linda Asbell, reported on the status of Denton County code enforcement clean-up efforts in Rocky Point.

Town Secretary, Linda Asbell, reported on an issue with Denton County issuing building permits in Lakewood Village ETJ and refusing to support the Town's authority to enforce building permits and inspections on proposed construction.

ADJOURNMENT

(Agenda Item G)

MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Wood the Council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular

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Session of the Lakewood Village Town Council at 9:38 on Thursday, August 11, 2011. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 8th day of September, 2011

APPROVED

Mike Schnittker
MAYOR

ATTEST:

Linda Asbell
TOWN SECRETARY