

LAKEWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

JUNE 8, 2016

Council Members:

Dr. Mark Vargus, Mayor
Gary Newsome
Clint Bushong
Ed Reed
Ray Duff
Dan Tantalo

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 7:00 p.m. on Thursday, June 8, 2016, in the Council Chambers of the Lakewood Village Town Hall, 100 Highridge Drive, Lakewood Village, Texas.

PLEDGE TO THE FLAG:

(Agenda Item A)

Boy Scout Troup 45 presented the colors and led the Pledge of Allegiance

PRESENTATIONS:

(Agenda Item B)

Town Secretary, Linda Asbell, administered the oath of office to re-elected Mayor Mark E. Vargus and presented the certificate of election. Mayor Vargus administered the oaths of office and presented the certificates of election to re-elected Councilman Ray Duff, Councilman Gary Newsome, and newly elected Councilman Dan Tantalo. Town Secretary Asbell presented a flag flown over the State Capital and a Texas monument to outgoing Mayor Pro-Tem Menckhoff. Mayor Vargus made a special presentation of a mounted water meter recognizing outgoing Mayor Pro-Tem Menckhoff's generous contributions to the town (in the form of payment of his consistent, and unusually high, water bills).

PROCLAMATION:

(Agenda Item C)

Mayor Vargus read a proclamation pledging support of efforts to save the iconic Monarch butterfly. Mayor Vargus presented the proclamation to Texas Parks and Wildlife, Urban Wildlife Biologists Rachel Richter and Sam Kieschnick.

VISITOR/CITIZENS FORUM:

(Agenda Item D)

Mr. Danny Cook, 730 Carrie Lane, asked if the town has any remedy to assist citizens with the property in dispute along Carrie Lane and LandPlan Property. Mayor Vargus reported that as far as he can determine LandPlan is not inclined to make a change in the plat. There is a possibility that resolution will be documented prior to the finalization of the final plat submitted by LandPlan. Councilman Tantalo stated that the Town intends to obtain a final answer prior to acceptance final plat.

Mr. Bernd Mueller, 700 Carrie Lane, asked about the status of the plan for repairs on Melody Lane and Carrie Lane. Mayor Vargus reported that when the council considers the budget they would look more closely at the costs associated with repairs or replacement of Melody Lane.

CONSENT AGENDA:

(Agenda Item E)

1. Minutes of May 12, 2016 Council Meeting (Asbell)
2. Minutes of May 27, 2016 Council Meeting (Asbell)
3. Resolution Naming the Little Elm Journal as the Official Newspaper (Asbell)
4. Advertising Agreement with Star Local Media (Asbell)

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

REGULAR AGENDA:

(Agenda Item F)

Presentation of Wildlife and Habitat Assessment by Rachel Richter and Sam Kieschnick of the Texas Parks & Wildlife Department (Asbell)

(Agenda Item F.5)

Mayor Vargus introduced Wildlife Biologists with the Texas Parks & Wildlife Department, Rachel Richter and Sam Kieschnick. Mayor Vargus stated that council has placed a high importance on educating themselves about the wildlife living in and habitat located in Lakewood Village with the goal of minimizing the impact of development by LandPlan and other properties. Mr. Kieschnick reported that Lakewood Village has a healthy population of Road Runners, Owls, and foxes. Mr. Kieschnick reported that they identified 47 different species of wildlife during their assessment of Lakewood Village. Mr. Kieschnick reviewed a pictorial presentation of some of the wildlife and plants identified in town. The impact of habitat loss due to development will cause fluctuations of some populations of animals causing a decrease in

some and movement in others. Mr. Keischnick stated that the town has a great team attitude and the citizens can come together with the Town Council and get involved in protecting the wildlife. It is important to not feed coyotes and encourage them to remain wild by hazing them if they come close to people. Ms. Rachel Richter reported on the importance of creating green space that supports wildlife. Ms. Richter reviewed the Proximate Principle, which documents that the value of properties that are adjacent to green space is increased by 15% to 30%. The cost of creating and maintaining the park is offset by the increase in value of the properties near the park. Ms. Richter discussed the ways to protect habitat during platting process of developments. Greenbelt trails and natural trails can have a similar effect on property values and provide important corridors for wildlife. Ms. Richter stated that there is a large amount of Privet, which is an aggressively invasive species of plant. The plant should be removed because it spreads rapidly and prevents native plants from growing. Several groups provide volunteers that will work and remove Privet. Removing Privet will allow a more attractive natural area. Ms. Richter encouraged the town to restore native prairie habitat along Lakecrest Drive, which would provide habitat for pollinators, birds, and other wildlife as well as establishing a scenic view and lower maintenance cost. Maintaining green space will provide tremendous benefits to Lakewood Village by maintaining a rural feel, increasing property values, providing less impervious cover, lower infrastructure costs, providing wildlife habitat, and offers many other benefits. Mr. Kieschnick and Ms. Richter reported that it would be extremely beneficial to ask the developer to rescue many of the native plants and encouraged planting American Beauty Berry, Butterfly Milkweed, Green Milkweed, Milkweed Vine, and Elkhorn Milkweed. A “wildlife walk” will be scheduled at a future date to allow citizens to accompany Mr. Kieschnick and Ms. Richter on an educational exploration of the habitat in Lakewood Village.

**Consideration of Election of Mayor Pro-Tem
(Asbell)**

(Agenda Item F.6)

Mayor Vargus reported on the amount of work and dedication of personal time that is required of council members. Mayor Vargus recognized Councilman Bushong for his tenure on council, hard work, and numerous accomplishments. Mayor Vargus reported that unfortunately, Councilman Bushong’s schedule does not allow him to be available during business hours to attend all the meetings necessary to conduct town business. Mayor Vargus also recognized Councilman Reed’s dedication and accomplishments and recommended that Councilman Reed be appointed Mayor Pro-Tem. Councilman Bushong stated that Councilman Reed is a good choice for Mayor Pro-Tem

MOTION: Upon a motion made by Councilman Newsome and seconded by Councilman Duff, council voted four (4) “ayes”, no (0) “nays”, with Councilman Reed abstaining, to elect Councilman Ed Reed as Mayor Pro-Tem. *The motion carried.*

**Consideration of Appointments to the
Municipal Development District Board
(Vargus)**

(Agenda Item F.7)

Mayor Vargus stated that there is a need to synchronize the terms of the members of the Municipal Development District board due to various recent appointments. Mayor Vargus acknowledged Councilman Tantalo's desire to continue to serve on the MDD but stated he would like Councilman Tantalo to keep his time available for council activities. Councilman Tantalo stated that he would like to stay on the board to provide continuity because of the limited experience of the majority of the members of the current board. There was some discussion about Councilman Tantalo being an ex officio member. There was some discussion about the transitional support Councilman Tantalo could provide the board during a transition time by attending the MDD Open Meetings as an advisor Councilman/citizen of Lakewood Village.

MOTION: Upon a motion made by Councilman Bushong and seconded by Councilman Duff, council voted three (3) "ayes" and two (2) "nays" (Councilman Newsome and Councilman Tantalo) to appoint members to the board of the Municipal Development District as outlined below. *The motion carried.*

Place 1,	Eric Farage
Place 2,	Dave Batchelder
Place 3,	Linda Louden
Place 4,	Bernd Mueller
Place 5,	Linda Asbell

Discussion of Engineering Projects (Vargus)

(Agenda Item F.8)

Mayor Vargus reported on the status of the projects the engineers are working on: Water Impact Fee Study, Waste Water Impact Fee Study, and Well Study. The engineers project completion by the end of October. Mayor Vargus reported on the State laws governing the cost of construction of infrastructure triggered by new development. Mayor Vargus reported that next month the council would be appointing members to the Capital Improvement Project Advisory Committee. Impact fees are a strategic asset that can be used in negotiating with developers. The cost of the required studies and engineering can be included in the calculation of the impact fees. Councilman Bushong reported that the cost of the impact fee study is approximately \$100,000 with the potential to recover \$1,000,000 of the cost of infrastructure.

Discussion of Water Expansion Project

(Vargus)

(Agenda Item F.9)

Mayor Vargus reported that the Municipal Development District has paid approximately 74% of the total cost of the additional water equipment for the Rocky Point Water System. The Rocky Point Water System will be fully operational with the new water equipment including a TCEQ compliant water storage tank by Monday, June 13th. There was some discussion about an adjustment of the cost of the upgrades due to the electrical work required.

The Lakewood Village water system has added a 6,000-gallon pressure tank and an additional 50,000-gallon ground storage tank. The Lakewood Village water system is increasing water reserves from six hours to nine hours. There was some discussion regarding the health of, and impact on, the Paluxy aquifer. There is an anticipated completion date of July 1st to bring the new Lakewood Village water equipment online.

**Consideration of Sanitary Buffer Zone
Ordinance (Vargus)**

(Agenda Item F.10)

Mayor Vargus reviewed the State required buffer zone and the change in the proposed ordinance to include any future well locations and require residences to sleeve sewer lines if they are within 150' of the wells or well sites. Councilman Tantalo stated he would prefer council put all ordinances on the town website and allow a minimum of 30 days for citizens to review the proposed ordinances prior to council voting. Mayor Vargus explained the reason for the urgency in the change to this buffer zone ordinance and reiterated that for typical items Council does follow an unofficial policy to discuss an ordinance at one council meeting and vote at the next meeting.

MOTION: Upon a motion made by Councilman Duff and seconded by Councilman Reed, council voted four (4) "ayes" and no (0) "nays" with Councilman Tantalo abstaining, to approve the Sanitary Buffer Zone ordinance as presented. *The motion carried.*

EXECUTIVE SESSION:

(Agenda Item G)

At 9:25 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

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RECONVENE:

(Agenda Item H)

Mayor Vargus reconvened the regular session of the Lakewood Village Town Council at 10:33 pm.

COUNCIL AND STAFF COMMENTS

(Agenda Item I)

No comments were made

ADJOURNMENT

(Agenda Item J)

MOTION: Upon a motion made by Councilman Duff and seconded by Councilman Bushong, council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lakewood Village Town Council at 10:34 p.m. on Thursday, June 8, 2016. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 14th day of July 2016.

APPROVED

Dr. Mark E. Vargus
MAYOR

ATTEST:

Linda Asbell, TRMC
TOWN SECRETARY