

**LAKEWOOD VILLAGE TOWN COUNCIL**

**COUNCIL MEETING**

**AUGUST 16, 2012**

**Council Members:**

Mike Schnittker, Mayor - ABSENT  
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 7:00 p.m. on Thursday, August 16, 2012, 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

Mayor Pro-Tem Vargus presented a Patriot Day proclamation to representatives of the American Legion, Ken Winn and Kevin Crye

**EXECUTIVE SESSION:**

**(Agenda Item E)**

In accordance with Texas Government Code § 551.074 - Personnel Matters – Evaluation of the Town Secretary. Mayor Pro-Tem Vargus adjourned the regular session at 7:04 p.m.

**RECONVENE:**

**(Agenda Item F)**

Mayor Pro-Tem Vargus reconvened the regular session of the council meeting at 7:17 p.m. No action was taken as a result of the executive session.

**VISITOR/CITIZENS FORUM:**

**(Agenda Item B)**

No one requested to speak.

**LAKEWOOD VILLAGE TOWN COUNCIL  
REGULAR SESSION  
AUGUST 16, 2012**

**Page 2**

**PUBLIC HEARING:**

**(Agenda Item C)**

In accordance with Local Government Code § 102.006(c) a public hearing was held on the proposed Fiscal Year 2012-2013 budget to provide an opportunity for citizen comment. Mayor Pro-Tem Vargus opened the public hearing at 7:18 p.m.

No one requested to speak.

**MOTION:** Upon a motion made by Councilman Wood and seconded by Councilman Getka the Council voted five (5) “ayes” and no (0) “nays” to close the public hearing at 7:18 p.m.. The motion carried.

**REGULAR AGENDA:**

**(Agenda Item D)**

**Consideration of Request for Adjustment on  
Water Bill from Mr. John “Wes” Willard,  
765 Carrie Lane**

**(Agenda Item D.1)**

Mayor Pro-Tem Vargus reported that the water billing ordinance specifies water billing rates and according to consumption Mr. Willard’s water bill is \$4,762.50. Mayor Pro-Tem Vargus reported that this situation is not an average “leak” situation and council needs to determine if Mr. Willard’s situation can be considered a leak. Willard reported that the problem was the pump pulling irrigation water out of the lake and a valve that failed which allowed municipal water which had been tied in as a back-up, to pump water directly into the lake. Mr. Willard stated that the system was in place when he purchased the property and he made some repairs to the pipe located in the lake. There was some discussion about the possible cause of the malfunction. Councilman Guthrie asked if the system was inspected by the city at the time of installation. There was some discussion about the legality and requirements of having irrigation systems that are dual connected. Mayor Pro-Tem Vargus reported that the Building Inspector has inspected the irrigation system and the connection between the system and the municipal water supply has been severed.

**MOTION:** Upon a motion made by Councilman Menckhoff and seconded by Councilman Wood the Council voted four (4) “ayes” and one (1) “nays” (Councilman Guthrie) to approve Mr. Willard’s request for a leak adjustment on his water account. The motion carried.

There was some discussion about requiring inspections of dual connection irrigation systems in the future.

**Consideration of Fiscal Year 2012-2013  
Budget Ordinance**

---

**(Agenda Item D.2)**

Mayor Pro-Tem Vargus reported that revenues for General Fund year to date are \$292,000, however next year only \$249,000 is projected. Mayor Pro-Tem Vargus reported that the property values have fallen and the interest income is also decreasing significantly. Mayor Pro-Tem Vargus reviewed the anticipated attorney fees and the need to split expenses between General Fund and Utility Fund. A Payment of \$28,200 for debt servicing will be paid in October for a final payoff on the lot on Melody purchased for extension of a road. A \$30,000 surplus is projected for the General Fund in fiscal year 2012-2013. There was some discussion about the use of the remaining Village People Committee funds for town functions and closing that account. Mayor Pro-Tem Vargus reported the water billing for August 2012 was over \$40,000. Mayor Pro-Tem Vargus reviewed the Utility Fund revenues and assignment of reserve funds. There was some discussion about anticipated water and sewer repairs. There was some discussion about the creation and signing of an actual contract to execute between the Town and Patterson Professional Services. There was some discussion on the fines incurred due to the problems caused by the water/wastewater operation of Aquamat of Texas. The budget projects for a \$30,000 surplus in General Fund and a \$92,000 surplus in Utility Fund and is the first time in the history of the Town that the Town will be adopting a \$1,000,000 budget. There was some discussion about purchasing a 10,000 gallon pressure tank and a 50 horse-power booster pump. There was some discussion about putting in a wooden fence around the water plant and abandoning attempts to grow a living screening wall. Councilman Wood provided pricing of between \$17,000 and \$22,000 to build a wooden fence and provide weather protection for the mailboxes located on Hillside.

**MOTION:** Upon a motion made by Councilman Getka and seconded by Councilman Guthrie the Council voted five (5) “ayes” and no (0) “nays” to approve the Fiscal Year 2012-2013 Budget Ordinance as discussed. The motion carried.

**Consideration of Junked Vehicle/Abandoned  
Vehicle and Parking Ordinance**

---

**(Agenda Item D.3)**

Mayor Pro-Tem Vargus reviewed the changes to the proposed ordinance and the definition of “approved surface” for parking. Mayor Pro-Tem Vargus stated the only way for this ordinance and the building ordinance, which requires concrete driveways, to align is for approved surface within the Junked Vehicle/Abandoned Vehicle and Parking Ordinance to be defined only as concrete. There was some discussion about the provisions which would restrict the locations and the surfaces upon which vehicles can be parked/stored. Councilman Getka stated that he prefers a more flexible position and recommends allowing the use of concrete pavers rather than allowing only a concrete slab. Councilman Getka stated that he does not approve of the use of gravel. Councilman Guthrie stated that by choosing to live in a city you voluntarily subject yourself to the rules that go along with living in that city and should act responsibly as a good

**LAKWOOD VILLAGE TOWN COUNCIL  
REGULAR SESSION  
AUGUST 16, 2012**

**Page 4**

neighbor. Councilman Menckhoff proposed language for the ordinance that would require parking on an approved surface unless the vehicle is parked out sight from the street. Council discussed and agreed that driveways in the front of the house must be concrete. Council discussed requiring concrete for any parking surface in front of the rear-most portion of the dwelling of the residence, behind the back line of the residence additional options of gravel, or paver stones can be used.

**MOTION:** Upon a motion made by Councilman Wood and seconded by Councilman Getka the Council voted four (4) “ayes” and one (1) “nays” (Councilman Menckhoff) to approve the Junked/Abandoned Vehicle and Parking Ordinance as discussed. The motion carried.

**Approval of Minutes of the June 14, 2012  
Town Council Meeting**

**(Agenda Item D.4)**

**MOTION:** Upon a motion made by Councilman Getka and seconded by Councilman Wood the Council voted five (5) “ayes” and no (0) “nays” to approve the June 14, 2012 minutes as presented. The motion carried.

**Approval of Minutes of July 26, 2012**

**(Agenda Item D.5)**

**MOTION:** Upon a motion made by Councilman Getka and seconded by Councilman Wood the Council voted four (4) “ayes” and one (1) “abstain” (Councilman Guthrie) to approve the June 14, 2012 minutes as presented. The motion carried.

**EXECUTIVE SESSION:**

**(Agenda Item E)**

In accordance with Texas Government Code § 551.072 – To deliberate the purchase, exchange, lease or value of real property when deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person. Mayor Pro-Tem Vargus adjourned the regular session at 9:29 p.m.

**RECONVENE:**

**(Agenda Item F)**

Mayor Pro-Tem Vargus reconvened the regular session of the council meeting at 9:49 p.m. No action was taken as a result of the executive session.

**COUNCIL AND STAFF COMMENTS:**

**(Agenda Item G)**

Town Secretary Linda Asbell reported that the Town is partnering with the American Legion and the Little Elm Independent School District to present the Patriot’s Day ceremony. The ceremony

**LAKWOOD VILLAGE TOWN COUNCIL  
REGULAR SESSION  
AUGUST 16, 2012**

**Page 5**

will be held on Sunday, September 9<sup>th</sup> from 7:30am to 8:45am at the Little Elm Athletic Complex.

Councilman Getka expressed concern about the stagnant pond at the intersection of Highridge Drive and Melody Lane. Councilman Menckhoff stated that although West Nile is getting a lot of attention it does not pose as much a threat as flu. Mayor Pro-Tem Vargus stated the Town can send a letter to the property owner.

**ADJOURNMENT**

**(Agenda Item H)**

**MOTION:** Upon a motion made by Councilman Menckhoff and seconded by Councilman Wood the Council voted four (4) “ayes” and one (1) “abstain” (Councilman Getka) to adjourn the Regular Session of the Lakewood Village Town Council at 9:54 p.m. on Thursday, August 16, 2012. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 17th day of September 2012

APPROVED

---

Mike Schnittker  
MAYOR

ATTEST:

---

Linda Asbell  
TOWN SECRETARY