

**LAKEWOOD VILLAGE TOWN COUNCIL**

**COUNCIL MEETING**

**JUNE 14, 2012**

**Council Members:**

Mike Schnittker, Mayor  
Dr. Mark Vargus, Mayor Pro-Tem  
Ken Guthrie  
Harold Wood  
Carl Menckhoff, M.D. – arrived at 7:42  
Dave Getka

**Town Staff:**

Linda Asbell, Town Secretary  
W. Andrew Messer, Town Attorney

**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, June 14, 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 Schnittker led the pledge of allegiance

**VISITOR/CITIZENS FORUM:**

**(Agenda Item B)**

No one requested to speak.

**REGULAR AGENDA:**

**(Agenda Item C)**

**Consideration of Minutes of April 12, 2012  
Town Council Meeting**

**(Agenda Item C.1)**

**MOTION:** Upon a motion made by Councilman Guthrie and seconded by Mayor Pro-Tem Vargus the Council voted four (4) “ayes” and no (0) “nays” to approve the April 12, 2012 minutes as presented. The motion carried.

**Consideration of Minutes of May 17, 2012  
Town Council Meeting**

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**(Agenda Item C.2)**

**MOTION:** Upon a motion made by Councilman Getka and seconded by Councilman Wood the Council voted four (4) “ayes” and no (0) “nays” to approve the May 17, 2012 minutes as presented. The motion carried.

**Discussion of Status of Water / Waste Water  
Systems**

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**(Agenda Item C.3)**

Mark Patterson, of Patterson Professional Services, reported that both the water and waste water systems are running well. Mr. Patterson reported the Town is not having sewer problems like those experienced last summer. Al Stewart came out at Mr. Patterson’s request to check the wells when he first turned the large well on and reported no problems. Mr. Patterson discussed the cycling options for the blowers at the wastewater plant. He also reported that the sewer plant was overloaded with sludge when he took over operations but he will be resolving that over time. Mayor Schnittker asked about the creation of a maintenance program, Mr. Patterson reported that it is on his list of things to accomplish but he has not started on it yet. There was some discussion about auto-dialers. Mr. Patterson reported that Rocky Point is doing well but informed council that there are no back up components in that system. There was some discussion of the possible theft of water service in Rocky Point. Councilman Getka expressed his appreciation for the good service the Town is receiving from Patterson Professional services.

At this time Council considered items C.5. – C.7

**Election of Mayor Pro-Tem**

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**(Agenda Item C.4)**

**MOTION:** Upon a motion made by Councilman Wood and seconded by Councilman Getka the Council voted five (5) “ayes” and no (0) “nays” to elect Dr. Mark E. Vargus as Mayor Pro-Tem. The motion carried.

At this time Council considered items C.8 – C.10

**Discussion of Status of Zoning Ordinance**

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**(Agenda Item C.5)**

Mayor Pro-Tem Vargus reported there are no changes in the status.

**Discussion of Status of Concrete Road  
Project**

**(Agenda Item C.6)**

Mayor Pro-Tem Vargus reported that he had a conversation with LandPlan about cooperative project planning with them on the installation of the concrete roads as they develop and install their roads.

**Discussion of Rocky Point Water System  
Financial Report**

**(Agenda Item C.7)**

Mayor Schnittker reported that Rocky Point Water System is ready to take on the Braewood Bay water customers. There was some discussion about replacing the pressure tank in Lakewood Village and moving the old Lakewood Village tank to use in Rocky Point. Mayor Pro-Tem Vargus reviewed the Rocky Point Water System financial report. Mayor Pro-Tem Vargus reported that next month council will need to consider an interlocal agreement between the Town and the Municipal Development District for Patterson Professional Services to operate the system. Mark Patterson reported the water pressure in Rocky Point ranges from 42 to 60 psi. There was some discussion about the status of compliance with TCEQ standards for Rocky Point.

Councilman Menckhoff took his place on the dais at 7:42

Mayor Pro-Tem Vargus reviewed the balance sheet for Rocky Point. There was some discussion on the process for acquiring the water mains from AquaTexas to provide the water service from Rocky Point to Braewood Bay.

At this time Council considered Item C.4.

**Consideration of Nuisance Ordinance**

**(Agenda Item C.8)**

Council discussed Items C.8 and C.9 at the same time.

Mayor Schnittker reported that all the language referring to parking has been removed from the nuisance ordinance and the junked vehicle ordinance and has been incorporated into the vehicle parking and storage ordinance. Mayor Pro-Tem Vargus reported that the ordinances junked vehicle ordinance does not, at this point, comply with the State definition of a junked vehicle which causes the ordinance to be void. Mayor Pro-Tem Vargus stated the nuisance ordinance has been amended to remove the provisions regarding vehicle parking. The nuisance ordinance now regulates nuisances, tall weeds/grass, and burning.

**MOTION:** Upon a motion made by Councilman Getka and seconded by Councilman Guthrie the Council voted four (4) “ayes” and no (0) “nays”, with Councilman Menckhoff abstaining, to approve the ordinance as discussed. The motion carried.

**Consideration of Junked Vehicle Ordinance**

**(Agenda Item C.9)**

**MOTION:** No Motion Was Made

**Consideration of Oversized Vehicle Parking Ordinance**

**(Agenda Item C.10)**

Mayor Pro-Tem Vargus explained the Texas Transportation Code requirements for regulating parking. Parking regulation has specific rules. Town Attorney Messer reported that certain regulations (parking, speed zones, etc.) require a town to go through specific predicates like an engineering study prior to enacting an ordinance. Attorney Messer stated the Uniform Traffic Control Manual gives very specific requirements for signage. There was some discussion about the legal standard for determining if a vehicle is of “blocking” or “impeding” a roadway. Councilman Guthrie stated that Texas Transportation Code Section 534 states that parking on a public road is permissible. There was some discussion on the method of giving notice to vehicle owners on parking regulations. Mayor Pro-Tem Vargus reported on the ordinance he prepared to regulate parking and storing of commercial vehicles. Attorney Messer reported that other cities in Texas regulate parking of boats and boat trailers. Attorney Messer stated he could talk with the Town Engineer and put together an ordinance that would regulate boat/trailer/recreational vehicle parking.

Mayor Schnittker reported on the various complaints received on semi-trailers, military vehicles, and cars parking on the streets. There was some discussion on the potential problems and benefits from regulating street parking.

Council asked Attorney Messer to research and provide some options for parking regulations.

**MOTION:** No Motion Was Made

**EXECUTIVE SESSION:**

**(Agenda Item D)**

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.; and, Texas Government Code Section 551.071 (2) - Consultation with City 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 regarding municipal zoning authority.

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Mayor Schnittker adjourned the regular session at 8:16 p.m.

**RECONVENE:**

**(Agenda Item E)**

Mayor Schnittker reconvened the regular session of the council meeting at 9:07 p.m. No action was taken as a result of the Executive Session.

**COUNCIL AND STAFF COMMENTS:**

**(Agenda Item F)**

Mayor Pro-Tem Vargus reported that the Town Secretary needs help in the office and will need to hire additional help soon. Town Secretary Asbell stated that she would prepare an estimate on hours and pay as well as prepare a job description for the next council meeting.

Councilman Getka inquired about the number of LED sign quotes received. Town Secretary Linda Asbell reported that only one additional company has come out but as of the meeting time has not submitted a quote. At this time only two quotes have been received.

Town Secretary, Linda Asbell, reported that she has been attempting to get the Texas Department of Transportation to replace the sign indicating Lakewood Village is to the south on Eldorado. Nancy Cline with Texas Department of Transportation reviewed the standards and indicated the sign would not be replaced.

**ADJOURNMENT**

**(Agenda Item G)**

**MOTION:** Upon a motion made by Councilman Guthrie and seconded by Councilman Wood the Council voted five (5) "ayes" and no (0) "nays" to adjourn the Regular Session of the Lakewood Village Town Council at 9:13 p.m. on Thursday, June 14, 2012. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 16th day of August 2012

APPROVED

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Mike Schnittker  
MAYOR

ATTEST:

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Linda Asbell  
TOWN SECRETARY