

**LAKEWOOD VILLAGE TOWN COUNCIL**

**COUNCIL MEETING**

**JULY 1, 2013**

**Council Members:**

Mike Schnittker, Mayor  
Dr. Mark Vargus, Mayor Pro-Tem - ABSENT  
Ken Guthrie  
Harold Wood – arrived at 7:44 p.m.  
Carl Menckhoff, M.D. – appeared via videoconference  
Dave Getka

**Town Staff:**

Linda Asbell, Town Secretary

**REGULAR SESSION - 7:00 P.M.**

With a quorum of the Council Members present, Mayor Schnittker called the Town Council to order at 7:12 p.m. on Thursday, July 1, 2013, 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 to the flag.

**VISITOR/CITIZENS FORUM**

**(Agenda Item B)**

No one requested to speak

**PUBLIC HEARING**

**(Agenda Item C)**

A public hearing was held on proposed zoning ordinance amendments to provide an opportunity for citizen comment on the proposed changes to the rules and regulations regarding zoning in the Town limits and the Extra Territorial Jurisdiction.

Mayor Schnittker opened the public hearing at 7:13 p.m.

No one requested to speak

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**MOTION:** Upon a motion made by Councilman Guthrie and seconded by Councilman Getka the Council voted three (3) “ayes” and no (0) “nays” to the close the public hearing at 7:13 p.m. *The motion carried.*

**REGULAR AGENDA:**

**(Agenda Item D)**

Mayor Schnittker stated that he would like address D.4. at this time

**Presentation of Audit Report**

**(Agenda Item D.1)**

Councilman Wood arrived at the dais at 7:44 p.m.

Mr. Wayne Nabors of Nabors CPA Services presented the Fiscal Year 2011-2012 audit report. Mr. Nabors reported that he has completed an audit and the year ended with a \$61,000 increase in the net assets. The government fund has a ratio of 162% and he commends the Town of Lakewood Village for that sound fiscal accomplishment. Reserves are a minimum recommended balance of 25% and the town has 97% which is very healthy. Mr. Nabors stated the water sewer fund is run like a business which has accounts receivable and fixed assets. Mr. Nabors reported the current ratio is 4.6/1 which is very strong. Mr. Nabors stated the reserves are very strong and he is aware of some planned expenditures and he recommends a planned spend down of the reserves. Minimum recommended is 33% and the town currently has 104%. Mr. Nabors reported that all the Town’s standards meet generally accepted accounting practices and only five or six minor adjustments were needed. Mayor Schnittker asked if Mr. Nabors contacted the previous auditor. Mr. Nabors stated that he did contact the previous auditor as required to ascertain information related to any issues that may need to be addressed in the audit he completes. Mr. Nabors stated that he was able to receive enough information from the prior auditor to satisfy any concerns and requirements.

Councilman Getka thanked Mr. Nabors for coming in and assisting the Town by taking on the audit under the circumstances.

**Consideration of Zoning Ordinance**

**(Agenda Item D.2)**

Mayor Schnittker reviewed the changes proposed in the zoning ordinance.

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

**Consideration of Contract with Patterson  
Professional Services**

**(Agenda Item D.3)**

Councilman Guthrie reviewed the status of the negotiation and contract finalization with Patterson Professional Services and stated he would have the contract ready for council consideration at the next council meeting. The negotiated amount is \$3,250 to begin July 1, 2013 but the contract terms will be per fiscal year. There was some discussion about the payment of lab fees. There was some discussion about adding language that requires an agreement what defines a “major change” that would trigger a renegotiation of the contract. Council discussed inviting Mr. Patterson to attend the next council meeting.

**MOTION:** *No motion was made.*

Council now moved to item D.5

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

**(Agenda Item D.4)**

Mayor Schnittker stated that he would like to address the complaint received on the trailer parked on his property. He stated that the trailer has been moved and the second portion of the complaint was filled with misstatements and lies. Councilman Getka stated that many of the statements made in the complaint seemed irrelevant to the complaint about the trailer. Councilman Getka stated that he would like to have seen the complainant come to a council meeting and address the council directly. Councilman Getka stated that the statements made against Mayor Schnittker seem completely inconsistent with what he has experienced.

Councilman Guthrie stated that the complaint seemed to boil down to the misplacement of the trailer. Mayor Schnittker reported that the trailers have been addressed but the other elements of the complaint amounted to a character assassination is a fabrication.

Councilman Guthrie stated that he is not concerned about litigation because this situation is being handled exactly as any other citizen complaint. Mayor Schnittker asked Town Secretary Asbell to review the typical process for handling citizen complaints. Town Secretary Asbell reviewed each step followed when a complaint is received and assured the Town Council that this complaint was handled exactly as any other complain would have been handled.

Mr. Brad Brennan and Mr. and Mrs. Pazoureck stated that they have previously been threatened by the 150 pound Rottweiler owned by the complainant. Mr. Brennan reported that as a neighbor of the complainant he has a problem with the parking on the street because of a safety issue. The parking on the street in front of the complainant’s house causes the paved street to be narrowed to a degree that when he drives past he has to enter the bar ditch on the opposite side of the road.

There was some discussion about the safety concerns regarding street parking specifically along Stowe Lane and street parking in general. There was some discussion about requiring a solid fence and the aesthetics of gravel versus concrete.

Councilman Menckhoff stated the original purpose was to prevent the neighborhood from looking trashy and he believes the language has over reached the original intent. Councilman Menckhoff stated his concern about the complaint received is the hostile and vindictive nature of the complaint. Councilman Menckhoff stated that he does not want to put more restrictions on the residents of the town. Councilman Menckhoff stated that he believes some more thought needs to be placed into the requirements of the ordinance and he does not believe the change needs to happen now.

There was some discussion on preventing parking surface “islands” and removing the fencing requirement. There was some discussion on requirements for parking.

**MOTION:** *No motion was made*

Council considered D1

**Consideration of Town Hall Rental Ordinance**

**(Agenda Item D.5)**

Councilman Menckhoff disconnected from the video conference at 8:12 p.m.

Town Secretary Asbell reviewed the proposed changes. Councilman Guthrie reviewed the history of the ordinance.

**MOTION:** Upon a motion made by Councilman Getka and seconded by Councilman Wood the Council voted three (3) “ayes” and no (0) “nays” to approve the ordinance as presented. *The motion carried.*

**COUNCIL AND STAFF COMMENTS:**

**(Agenda Item E)**

Councilman Getka organized a blood drive from 4:00 to 6:00 on July 25th to coincide with the CPR class. A minimum of 10 people are needed.

Town Secretary Asbell reported that the Town has taken over operations of the USACE park property well for \$250 as of today.

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**ADJOURNMENT**

**(Agenda Item F)**

**MOTION:** Upon a motion made by Councilman Getka and seconded by Councilman Wood the Council voted three (3) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lakewood Village Town Council at 8:25 p.m. on Monday, July 1, 2013. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 8th day of August 2013.

APPROVED

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Mike Schnittker  
MAYOR

ATTEST:

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Linda Asbell  
TOWN SECRETARY