

LAKEWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

JUNE 12, 2014

Council Members:

Mike Schnittker, Mayor – ABSENT
Dr. Mark Vargus, Mayor Pro-Tem
Ken Guthrie
Clint Bushong
Carl Menckhoff, M.D.
Dave Getka - ABSENT

Town Staff:

Linda Asbell, TRMC, Town Secretary
Brenda McDonald, Deputy 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 7:09 p.m. on Thursday, June 12, 2014, 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 asked to speak

PUBLIC HEARING:

(Agenda Item C)

A public hearing was held in compliance with Section 211.006 Local Government Code to give the public an opportunity to provide input on the proposed zoning ordinance. Mayor Pro-Tem Vargus opened the public hearing at 7:10.

No one asked to speak.

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MOTION: Upon a motion made by Councilman Menckhoff and seconded by Councilman Bushong the Council voted four (4) “ayes” and no (0) “nays” to close the public hearing at 7:10 p.m. *The motion carried.*

PUBLIC HEARING: **(Agenda Item D)**

A public hearing was held in compliance with Section 212.002 Local Government Code to give the public an opportunity to provide input on the proposed subdivision ordinance. Mayor Pro-Tem Vargus opened the public hearing at 7:10.

No one asked to speak

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 close the public hearing at 7:11 p.m. *The motion carried.*

CONSENT AGENDA: **(Agenda Item E)**

1. Minutes of the May 8, 2014 Council Meeting
2. Minutes of the May 22, 2014 Council Meeting
3. Appointments to the Board of the Economic Development Corporation
4. Appointments to the Board of the Municipal Development District

Mayor Pro-Tem Vargus reported that the EDC needs additional members. Councilman Guthrie requested that Item 1 be considered separately as he was absent from that meeting.

MOTION: Upon a motion made by Mayor Pro-Tem Vargus and seconded by Councilman Bushong the Council voted four (4) “ayes” and no (0) “nays” to approve consent agenda items E.2-4 as presented. *The motion carried.*

MOTION: Upon a motion made by Mayor Pro-Tem Vargus and seconded by Councilman Bushong, the Council voted three (3) “ayes” and no (0) “nays”, with Councilman Guthrie abstaining, to approve consent agenda item E.1. as presented. *The motion carried.*

REGULAR AGENDA: **(Agenda Item F)**

Consideration of Zoning Ordinance **(Agenda Item F.1)**

Mayor Pro-Tem Vargus expressed appreciation for the time Councilman Bushong invested in writing the ordinance and the time the rest of the council invested in the review. Mayor Pro-Tem Vargus stated that he thinks the process of review brought about good discussion and effort by the council. Councilman Guthrie reported that he reviewed the ordinance again and had a few grammatical corrections and questions. Council discussed special exceptions for building inspector error. Council discussed minimum net acreage. There was some discussion about wind energy restrictions.

MOTION: Upon a motion made by Mayor Pro-Tem Vargus and seconded by Councilman Guthrie the Council voted four (4) “ayes” and no (0) “nays” to approve Zoning Ordinance 14-04. *The motion carried.*

Consideration of Subdivision Ordinance

(Agenda Item F.2)

Mayor Pro-Tem Vargus reported that Deputy Town Attorney McDonald has requested that this ordinance be tabled to allow for additional attorney review. There was some discussion regarding the different types of plats and regulation of development plats.

MOTION: Upon a motion made by Mayor Pro-Tem Vargus and seconded by Councilman Guthrie the Council voted four (4) “ayes” and no (0) “nays” to table this item. *The motion carried.*

Consideration of Fee Ordinance

(Agenda Item F.3)

Mayor Pro-Tem Vargus reported that having a consolidated fee ordinance allows the town to simplify the process of amending fees without amending each individual ordinance. There was some discussion about the building permit fees regarding non-air conditioned space that is converted within a specific time after original construction. There was some discussion on inspections required for pre-fabricated spas. There was some discussion on the various building permit fees. There was some discussion regarding contractor registrations and the required fees. Council discussed reducing the registration fee to \$25.00. There was some discussion and review of the new tap fees. There was some discussion about platting fees.

MOTION: Upon a motion made by Mayor Pro-Tem Vargus and seconded by Councilman Bushong the Council voted four (4) “ayes” and no (0) “nays” to approve fee ordinance 14-05 as discussed. *The motion carried.*

Consideration of Financial Controls Ordinance

(Agenda Item F.4)

Mayor Pro-Tem Vargus reviewed the ordinance and the formalization of standard procedures and required controls for governmental entities. Mayor Pro-Tem Vargus reviewed the personnel section. There was some discussion on the Sunset Provision. There was some discussion on reimbursements and compensation.

MOTION: Upon a motion made by Mayor Pro-Tem Vargus and seconded by Councilman Guthrie the Council voted four (4) “ayes” and no (0) “nays” to approve the financial controls ordinance. *The motion carried.*

**Consideration of Implementation of Stage 2
Water Management Status**

(Agenda Item F.5)

Mayor Pro-Tem Vargus reported on the water needs for the concrete road project and the water capacity of both the town and Rocky Point. Council discussed amending Ordinance 13-13 at the June 26th meeting to prohibit fire hydrant construction water draws except for public projects.

MOTION: Upon a motion made by Mayor Pro-Tem Vargus and seconded by Councilman Guthrie the Council voted four (4) “ayes” and no (0) “nays” to implement stage 2 water management status until revoked by council. *The motion carried.*

**Discussion of Open Records Act and Social
Media**

(Agenda Item F.6)

Mayor Pro-Tem Vargus reported on problems with document retention requirements being met when social media (Facebook) is used. Mayor Pro-Tem Vargus also reported on concerns with open meetings violations when discussions occur on social media. Councilman Menckhoff stated that he prefers information on Facebook be provided but no discussions take place. Mayor Pro-Tem Vargus stated that he prefers the Town Secretary be the point of contact for information provided by the town via social media. Deputy Town Attorney McDonald reported that it is a concern if a quorum of the Town Council jumped in on a Facebook conversation on a topic over which the Town Council could exercise control. Mayor Pro-Tem Vargus stated that he does not want to write a policy but he prefers a “gentleman’s agreement” that council not post city business on social media. Deputy Town Attorney clarified that posting anything about town business on social media, whether on a group page, or personal page would be subject to open records requests.

**Discussion of Council Meeting Schedule for
July and August 2014**

(Agenda Item F.7)

Council discussed attendance availability for the proposed July and August schedule. Councilman Menckhoff and Councilman Bushong reported they are both available for the meetings as they are proposed. Mayor Pro-Tem Vargus stated he would like to have an action item to adopt this schedule at the June 26th council meeting to allow him to confirm his travel arrangements.

EXECUTIVE SESSION:

(Agenda Item G)

Council did not adjourn into Executive Session

RECONVENE:

(Agenda Item H)

Council did not adjourn into Executive Session

COUNCIL AND STAFF COMMENTS:

(Agenda Item I)

Mayor Pro-Tem Vargus reported that the road construction has begun. The roads will be one-way as the construction progresses. The construction will be accomplished one-half of the street at a time except for Shoreline, which will be a full width demo.

Mayor Pro-Tem Vargus reported that the new pressure tank and the booster pumps are now online and working well.

Councilman Guthrie reported that the mailbox project will begin June 13. The mailboxes will be relocated to a covered area next to town hall and park benches will be provided.

Mayor Pro-Tem Vargus reported that the fire hydrant project on Lakecrest is complete.

ADJOURNMENT

(Agenda Item J)

MOTION: Upon a motion made by Councilman Bushong and seconded by Councilman Menckhoff, council voted four (4) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lakewood Village Town Council at 9:27 p.m. on Thursday, June 12, 2014. The motion carried.

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These minutes approved by the Lakewood Village Town Council on the 26th day of June 2014.

APPROVED

Dr. Mark E. Vargus
MAYOR PRO-TEM

ATTEST:

Linda Asbell, TRMC
TOWN SECRETARY