

**LAKEWOOD VILLAGE TOWN COUNCIL**

**COUNCIL MEETING**

**AUGUST 14, 2014**

**Council Members:**

Mayor - Vacant  
Dr. Mark Vargus, Acting Mayor  
Ken Guthrie, Deputy Mayor Pro-Tem  
Clint Bushong  
Carl Menckhoff, M.D.  
Dave Getka

**Town Staff:**

Linda Asbell, TRMC, Town Secretary

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

With a quorum of the Council Members present, Acting Mayor Vargus called the Town Council to order at 7:03 p.m. on Thursday, August 14, 2014, in the Council Chambers of the Lakewood Village Town Hall, 100 Highridge Drive, Lakewood Village, Texas.

**PLEDGE TO THE FLAG:**

**(Agenda Item A)**

Acting Mayor Vargus led the pledge of allegiance.

**VISITOR/CITIZENS FORUM:**

**(Agenda Item B)**

No one requested to speak.

**PUBLIC HEARING:**

**(Agenda Item C)**

A public hearing was held in accordance with Local Government Code § 102.006(c) on the proposed Fiscal Year 2014-2015 budget to provide an opportunity for citizen comment.

Acting Mayor Vargus opened the Public Hearing at 7:02 p.m.  
No one requested to speak.

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**MOTION:** Upon a motion made by Councilman Getka and seconded by Deputy Mayor Pro-Tem Guthrie the Council voted five (5) “ayes” and no (0) “nays” to close the public hearing at 7:03 p.m. *The motion carried.*

**CONSENT AGENDA:**

**(Agenda Item D)**

1. Master Agreement with Freese and Nichols as Town Engineer
2. Approval of the Municipal Development District 2014-2015 Budget
3. Minutes of the June 26, 2014 Council Meeting

**MOTION:** Upon a motion made by Councilman Getka and seconded by Deputy Mayor Pro-Tem Guthrie the Council voted five (5) “ayes” and no (0) “nays” to approve the consent agenda items as presented. *The motion carried.*

**REGULAR AGENDA:**

**(Agenda Item E)**

**Review and Demonstration of Emergency  
Procedures for Water System Operation**

**(Agenda Item E.1)**

Acting Mayor Vargus and Councilmen left the building at 7:05 p.m. and went to the water treatment plant for a review of the emergency operation procedures. Council returned to the dais at 7:21 p.m.

**Consideration of Request for Replat of 775  
Carrie by Mr. Chris Matthews**

**(Agenda Item E.2)**

Acting Mayor Vargus reviewed the replat request. Landmark Surveyors explained the details of the transfer of ownership of the section of one lot to the neighboring lot.

**MOTION:** Upon a motion made by Deputy Mayor Pro-Tem Guthrie and seconded by Councilman Bushong the Council voted five (5) “ayes” and no (0) “nays” to approve the request for replat of 775 Carrie Lane. *The motion carried.*

**Consideration of Addendum to Allied Waste  
Contract**

**(Agenda Item E.6)**

Acting Mayor Vargus reported that it is beneficial to the town to renew with Allied Waste rather than go out for bid. Mr. Rick Bernas reported that Allied Waste and Republic Services is the

same company. There was some discussion about setting up an event for a hazardous waste collection. Mr. Bernas reported that citizens have the ability to use The Camelot landfill at a reduced rate. There was some discussion on the replacement of broken trash carts.

**MOTION:** Upon a motion made by Councilman Getka and seconded by Councilman Menckhoff the Council voted five (5) “ayes” and no (0) “nays” to approve the addendum to the Allied Waste Contract. *The motion carried.*

**Discussion of Status of Phase I of Concrete Road Project**

**(Agenda Item E.3)**

Acting Mayor Vargus reported that due to rainy weather, the road construction is currently one month behind schedule. A few problems have been identified where culverts were buried under the road prior to the town being incorporated. Another drainage issue has been identified between Lakecrest and Hillside at Peninsula where a resident installed an eight inch enclosed drainage pipe. Acting Mayor Vargus reported that it appears that Freese and Nichols made an error in surveying an area of Lakecrest causing the pipes to be installed at the wrong height. There was some discussion regarding who bears the financial responsibility for the error. There was some discussion about installing piping in anticipation of the LandPlan development. There was some discussion about some of the asphalt milling being taken to Rocky Point for residents of that area to use to repair their roads.

**Consideration of Election of Deputy Mayor Pro-Tem**

**(Agenda Item E.4)**

Acting Mayor Vargus reviewed the need for a Deputy Mayor Pro-Tem.

**MOTION:** Upon a motion made by Councilman Bushong and seconded by Councilman Menckhoff the Council voted five (5) “ayes” and no (0) “nays” to elect Councilman Ken Guthrie to the position of Deputy Mayor Pro-Tem. *The motion carried*

**Consideration of Ordinance Establishing a Road Maintenance Fund**

**(Agenda Item E.5)**

Acting Mayor Vargus reported that the Local Government Code provides the Town the ability to dedicate funds that are restricted for specific uses. There was some discussion about the revenue sources for that fund. There was some discussion about the priority for some of the needed road

repairs. There was some discussion about the franchise fees generated from roll-off containers at construction sites.

**MOTION:** Upon a motion made by Councilman Getka and seconded by Deputy Mayor Pro-Tem Guthrie the Council voted five (5) “ayes” and no (0) “nays” to approve the ordinance establishing a road maintenance fund. *The motion carried.*

**Consideration of Adoption of North Central  
Texas Council of Governments Public Works  
Construction Standards**

**(Agenda Item E.8)**

Councilman Bushong reported that Freese and Nichols suggested that Lakewood Village adopt the “blue book” which is the public works construction standards published by the North Central Texas Council of Governments. This ordinance will also apply to the extra territorial jurisdiction. Councilman Bushong stated that he recommends that the council adopt the entire standard with the exception of the road standards.

**MOTION:** Acting Mayor Vargus made a motion to adopt the proposed standards.

Acting Mayor Vargus withdrew his motion.

There was some discussion about the potential conflict between the standards the town adopted in the residential and building code versus the proposed construction standards.

**MOTION:** Upon a motion made by Acting Mayor Vargus and seconded by Councilman Getka the Council voted five (5) “ayes” and no (0) “nays” to table this item to the next council meeting. *The motion carried.*

**Consideration of Weight Limit Variance for  
Concrete Road Project**

**(Agenda Item E.9)**

Acting Mayor Vargus reported that the road construction equipment are overweight according to the town weight limit ordinance. Acting Mayor Vargus is requesting the town council approve a variance for the weight limits for the parts of town that are receiving the concrete roads.

**MOTION:** Upon a motion made by Councilman Bushong and seconded by Deputy Mayor Pro-Tem Guthrie the Council voted five (5) “ayes” and no (0) “nays” to lift the weight limits on the roads in the current construction zone. *The motion carried.*

**Consideration of Ordinance Adopting the  
2014-2015 Budget**

**(Agenda Item E.7)**

Acting Mayor Vargus reviewed the proposed property tax increase of \$0.05/100. Acting Mayor Vargus reviewed the proposed budget. There was some discussion about the Fire/EMS contract and the associated fees. There was some discussion about animal control patrolling rather than simply responding to single call outs. Acting Mayor Vargus reported that the mowing contract is expired and he would like to purchase a 50 inch mower with a 3-year warranty for \$5,400 and enter into an agreement with Sam Morgan to mow all town properties. There was some discussion about collection of the Sendziak restitution. There was some discussion about the sewer plant refurbishment/repairs. Acting Mayor Vargus reported that a new storage building is needed at the water plant for storage of inventory and equipment and also contain a bathroom and office space. Acting Mayor Vargus stated he would provide council with a proposed floor plan for the new building at the next council meeting. There was some discussion about the need for additional ground storage of water. There was some discussion about impact fees. There was some discussion about the road maintenance fund. The Economic Development Corporation has pledged 50% of their sales tax revenues and the Municipal Development District has pledged 30% of their sales tax revenues to the town road maintenance fund. There was some discussion about charging a franchise fee via Allied Waste. There was some discussion about holding a public hearing to receive public input on the proposed franchise fee.

**MOTION:** Upon a motion made by Councilman Menckhoff and seconded by Deputy Mayor Pro-Tem Guthrie the Council voted five (5) “ayes” and no (0) “nays” to approve the ordinance adopting the 2014-2015 budget. *The motion carried.*

**EXECUTIVE SESSION:**

**(Agenda Item F)**

At 10:05 p.m. Mayor Pro-Tem 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; (3) § 551.087 Texas Government Code to wit: Economic Development Negotiations; and (4) § 551.004, Texas Government Code to wit: Personnel Matters, Town Secretary Annual Evaluation.

**RECONVENE:**

**(Agenda Item G)**

Mayor Pro-Tem Vargus reconvened into the regular session at 11:02 p.m.

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**COUNCIL AND STAFF COMMENTS:**

**(Agenda Item H)**

None

**ADJOURNMENT**

**(Agenda Item I)**

**MOTION:** Upon a motion made by Councilman Getka and seconded by Councilman Menckhoff, council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lakewood Village Town Council at 11:02 p.m. on Thursday, August 14, 2014. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 11th day of September 2014.

APPROVED

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Dr. Mark E. Vargus  
ACTING MAYOR

ATTEST:

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Linda Asbell, TRMC  
TOWN SECRETARY