

LAKEWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

DECEMBER 10, 2015

Council Members:

Dr. Mark Vargus, Mayor
Carl Menckhoff, M.D., Mayor Pro-Tem - ABSENT
Clint Bushong
Dave Getka
Gary Newsome
Ed Reed

Town Staff:

Linda Asbell, TRMC, Town Secretary
Mack Reinwand, Deputy Town Attorney

REGULAR SESSION - 7:00 P.M.

With a quorum of the Council Members present, Mayor Vargus called the Regular Session of the Town Council to order at 7:00 p.m. on Thursday, December 10, 2015, in the Council Chambers of the Lakewood Village Town Hall, 100 Highridge Drive, Lakewood Village, Texas.

PLEDGE TO THE FLAG:

(Agenda Item A)

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 to provide an opportunity for citizen comment on the proposed Parks Master Plan. Mayor Vargus opened the public hearing at 7:04 pm.

There was some discussion about the location of the parks that are required of developers and use of the floodplain for park space. Mayor Vargus reported on the goals of the park master plan. There was some discussion on value of park space versus value of residential structures. There was discussion on public access to the lake and use of existing drainage easements for public lake access. Deputy Town Attorney Reinwand reported that use of easements for lake access or trails is not legal. There was discussion about creation of a buffer between developments using a trail system that is very natural and wooded.

**LAKWOOD VILLAGE TOWN COUNCIL
REGULAR SESSION
DECEMBER 12, 2015**

Page 2

MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Reed, council voted four (4) “ayes” and no (0) “nays” to close the public hearing at 7:38 pm. *The motion carried.*

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

A public hearing was held to provide an opportunity for citizen comment on the proposed Comprehensive Plan, including thoroughfare plan and future land use assumptions. Mayor Vargus opened the public hearing at 7:38 pm.

There was discussion about Lakewood Village being entirely residential. There was some discussion on the locations of future schools being constructed by Little Elm Independent School District.

MOTION: Upon a motion made by Councilman Newsome and seconded by Councilman Getka, council voted four (4) “ayes” and no (0) “nays” to close the public hearing at 7:48 pm. *The motion carried.*

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

Consideration of Variance Request for Front Facing Garage at 755 Meadow Lake (Asbell) **(Agenda Item E.1)**

Mayor Vargus announced that the owner of the property has withdrawn this request.

MOTION: *No motion was made.*

Consideration of Fire Code Ordinance (Bushong) **(Agenda Item E.2)**

Councilman Bushong reviewed the changes proposed by Council at the November council meeting. Mayor Vargus reported on the legislative change that prohibits municipalities from requiring fire sprinkler systems in houses over 5,000 square feet unless the municipality had the requirement in place in January 2009. There was some discussion about regulation of fireworks.

MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Reed, council voted four (4) “ayes” and no (0) “nays” to approve the Fire Code Ordinance as amended. *The motion carried.*

Consideration of Vacation Policy (Getka)

(Agenda Item E.3)

Mayor Vargus reported that there is no official policy currently in place. Councilman Getka reported that Councilman Reed reviewed policies of other municipalities approximately the same size and created a policy that is comparable to what other cities offer. There was some discussion on creation of policies that cover part-time employees. There was some discussion on providing long-term and short-term disability insurance.

MOTION: Upon a motion made by Councilman Reed and seconded by Councilman Newsome, council voted four (4) “ayes” and no (0) “nays” to approve the Vacation/Holiday/Sick Time Policy as proposed. *The motion carried.*

**Consideration of Electronic Marquee for
Town Hall (Getka)**

(Agenda Item E.4)

Councilman Getka reported that the current marquee is damaged and needs to be repaired. Councilman Getka advocated consideration of electronic sign for ease and flexibility. There was some discussion about priorities for projects.

MOTION: *No motion was made.*

**Consideration of November 12, 2015 Council
Minutes (Asbell)**

(Agenda Item E.5)

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

**Consideration of Ratification of Polling Site
Contract (Asbell)**

(Agenda Item E.6)

Mayor Vargus reported on difficulties Lakewood Village has experienced in the past with getting election equipment and having town hall designated as a polling location through Denton County. Mayor Vargus thanked Jane Schoknecht for facilitating this agreement with the Republican Party. There was some discussion on improvements to Town Hall to make the building compatible with the American with Disabilities Act.

MOTION: Upon a motion made by Councilman Newsome and seconded by Councilman Getka, council voted four (4) “ayes” and no (0) “nays” to ratify the Polling Site Contract. *The motion carried.*

**Consideration of Electioneering Ordinance
(Vargus)**

(Agenda Item E.7)

Mayor Vargus reported on the change in State law regarding electioneering outside the 100 foot protected area around a polling location. Mayor Vargus reviewed the regulations proposed in the electioneering ordinance. There was some discussion about rules governing candidate forums.

MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Bushong, council voted four (4) “ayes” and no (0) “nays” to table this item to the January council meeting. *The motion carried.*

**Consideration of Road Repairs on Melody
Lane and Carrie Lane (Vargus)**

(Agenda Item E.8)

Mayor Vargus reported that several companies have evaluated the condition of Melody Lane and Carrie Lane. Mayor Vargus reported that residential service lines for utilities were not laid when Melody Lane and Carrie Lane were constructed. Mayor Vargus stated that he has discussed a full repair of both roads with the town engineer. The town engineer can run the bidding process and the roads will be chip-and-seal finished to Texas Department of Transportation standards. The plan to change to concrete roads throughout the town is still in place. There was some discussion on comparing the cost of a full repair versus patching.

MOTION: *No motion was made.*

**Consideration of Acceptance of Resignation
of Councilman Dave Getka (Asbell)**

(Agenda Item E.9)

Mayor Vargus reported that Councilman Getka will be moving to California. Councilman Getka has served on the town council since 2008. Mayor Vargus and the rest of the council thanked Councilman Getka for his long service to the town. Councilman Getka stated that it has been his honor to serve the town.

**LAKWOOD VILLAGE TOWN COUNCIL
REGULAR SESSION
DECEMBER 12, 2015**

Page 5

MOTION: Upon a motion made by Councilman Bushong and seconded by Councilman Reed, council voted four (4) “ayes” and no (0) “nays” to accept the resignation of Councilman Dave Getka. *The motion carried.*

Mayor Vargus presented outgoing Councilman Dave Getka with a flag that was flown over the Texas State capital building in Austin in honor of his years of service. Mayor Vargus also presented outgoing Councilman Getka with a small desk monument made from limestone recovered during the renovation of the capital building in Austin.

**Consideration of Appointment to Vacancy on
Town Council (Vargus)**

(Agenda Item E.10)

MOTION: Upon a motion made by Councilman Newsome and seconded by Councilman Reed, council voted three (3) “ayes” and no (0) “nays” to appoint Mr. Ray Duff to Council Place 2. *The motion carried.*

Mayor Vargus administered the Oath of Office to Mr. Ray Duff.

EXECUTIVE SESSION:

(Agenda Item F)

At 8:55 p.m. Mayor 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) § 551.071(2), Texas Government Code to wit: consultation with Town 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 a boundary agreement; (3) § 551.072 Texas Government Code to wit: Deliberations about Real Property; and (4) § 551.087 Texas Government Code to wit: Economic Development Negotiations

Mayor Pro-Tem Menckhoff arrived at 9:32 pm.

RECONVENE:

(Agenda Item G)

Mayor Vargus reconvened the regular session of the Lakewood Village Town Council at 9:46 pm.

MOTION: Upon a motion made by Councilman Bushong and seconded by Councilman Newsome, council voted five (5) “ayes” and no (0) “nays” to authorize Mayor Vargus to execute an interlocal agreement on boundaries with the Town of Oak Point. *The motion carried.*

REGULAR AGENDA: (continued)

(Agenda Item H)

**Consideration of Ordinance Adopting Parks
Master Plan (Vargus)**

(Agenda Item H.11)

Mayor Vargus reviewed the proposed Parks Master Plan. There was discussion on the minimum size and minimum amenities required on park dedications. There was discussion about public access to all parks in Lakewood Village. Mayor Vargus reviewed the proposed locations of trails and parks.

MOTION: Upon a motion made by Councilman Bushong and seconded by Councilman Duff, council voted five (5) “ayes” and no (0) “nays” to adopt the Parks Master Plan Ordinance as discussed. *The motion carried.*

**Consideration of Park Land Dedication
Ordinance (Vargus)**

(Agenda Item H.12)

There was some discussion on the requirement of all developments to provide park space. There was some discussion on open space versus park space.

MOTION: Upon a motion made by Councilman Duff and seconded by Councilman Bushong, council voted five (5) “ayes” and no (0) “nays” to approve the Park Land Dedication Ordinance as discussed. *The motion carried.*

**Consideration of Comprehensive Plan,
including the Thoroughfare Plan, and Future
Land Use Assumptions (Vargus)**

(Agenda Item H.13)

Mayor Vargus reviewed the proposed Land Use Assumptions. Mayor Vargus reviewed the benefit of making land use assumptions that reflect development expectations for different areas within the town. Mayor Vargus proposed RD1 to be an average density of three houses per acre, RD2 to be an average density of one and one-half houses per acre, and RD3 to be an average density of one house per acre. There was some discussion on the methods used to calculate the impact on water and sewer requirements. Council discussed requiring house sizes of 2,500 minimum square foot living space in RD1, a minimum of 3,000 square foot living space in RD2, and a minimum of 3,500 square foot living space in RD3. There was some discussion on requiring an average square foot living space. Council discussed requiring minimum widths on

**LAKWOOD VILLAGE TOWN COUNCIL
REGULAR SESSION
DECEMBER 12, 2015**

Page 7

lots. Council reviewed the land use assumptions for the north-west area of the extra territorial jurisdiction. Council discussed requiring turn lanes for entry into new developments.

MOTION: *No motion was made.*

COUNCIL AND STAFF COMMENTS

(Agenda Item I)

Mayor Vargus showed a picture of the sand spreader purchased by the Town for treating roads in icy conditions. Mayor Vargus reported that he is discussing identifying intersection and road priorities for treating icing. Mayor Vargus stated that he will be coordinating with the Town of Little Elm and Denton County in creating a winter road plan.

Mayor Vargus reported that the Public Works container building will be installed next week. The total cost for the building and all installation costs is approximately \$8,000.

There was some discussion on making appointments to the Municipal Development District.

ADJOURNMENT

(Agenda Item J)

MOTION: Upon a motion made by Mayor Pro-Tem Menckhoff and seconded by Councilman Bushong, council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lakewood Village Town Council at 11:22 p.m. on Thursday, December 10, 2015. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 14th day of January 2016.

APPROVED

Dr. Mark E. Vargus
MAYOR

ATTEST:

Linda Asbell, TRMC
TOWN SECRETARY