

LAKEWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

MARCH 12, 2015

Council Members:

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

Town Staff:

Linda Asbell, TRMC, Town Secretary

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 7:01 p.m. on Thursday, March 12, 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

SPECIAL PRESENTATION

(Agenda Item B)

Texas State Representative Pat Fallon read a Resolution passed by the Texas House of Representatives recognizing Late Mayor Pro-Tem Ken Guthrie's life of public service. Representative Fallon presented the Resolution and a flag flown over the State Capitol building in honor of Mayor Pro-Tem Guthrie to his wife, Laurie Guthrie. Representative Fallon presented a commemorative flag pin to each of the Guthrie children and grandchildren in attendance.

Mayor Vargus thanked Chris Robert, Jagoe Public Co., for his dedication to the completion of a successful road project and the extra efforts he went to in assisting the town. Councilman Bushong thanked Mr. Roberts for his perseverance and coming out at 9:30 p.m. to repair damage to the newly poured concrete road on Lakecrest Drive. Mayor Vargus presented Mr. Roberts with a commemorative clock made from limestone harvested from the grounds of the State Capitol in Austin.

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Mayor Vargus thanked Chris Poteet, Freese and Nichols, for his commitment to getting the concrete road project done the right way. Mayor Vargus thanked Mr. Poteet for always doing his job in a professional manner and to a very high standard. Councilman Bushong thanked Mr. Poteet for his professional dedication and service to the Town of Lakewood Village. Mr. Poteet said one of the reasons the project in Lakewood Village was so successful was because Mr. Roberts was dedicated to serving the citizens and doing a good job. Mayor Vargus presented Mr. Poteet with a commemorative clock made from limestone harvested from the grounds of the State Capitol in Austin.

Town Secretary Asbell presented the Town Council with a carved “Texas” made from limestone harvested from the grounds of the State Capitol in Austin, with each councilmember name and “Concrete Road Project 2014-2015” engraved on the base.

VISITOR/CITIZENS FORUM:

(Agenda Item C)

Dion Petaros, 770 Carrie, Lakewood Village, stated that he heard the LandPlan property was being considered for rezoning for smaller lots and/or commercial property. Mr. Petaros asked if there were any regulations on giving citizens notice of rezoning. Mayor Vargus reported that there are state laws regulating notice and reviewed Lakewood Village’s ordinance, which requires additional notice and hearings. Councilman Bushong explained that before any property can be rezoned every citizen would receive notice of a first public hearing and no action can be taken at the first meeting. A second public hearing would be held and the property would have signs notifying the public of the zoning change being requested. Mayor Vargus reported that LandPlan has not submitted any application for zoning change or development. Mayor Pro-Tem Menckhoff reported that the zoning will likely change as a part of the negotiation process of the development of the property. Councilman Bushong thanked Mr. Petaros for asking questions and allowing Council to explain the process and hear feedback.

CONSENT AGENDA:

(Agenda Item D)

1. Minutes of the January 8, 2015 Council Meeting (Asbell)
2. Minutes of the January 22, 2015 Council Meeting (Asbell)
3. Minutes of the February 5, 2015 Council Meeting (Asbell)
4. Minutes of the February 12, 2015 Council Meeting (Asbell)
5. Ordinance Cancelling the May 2015 General Election and Declaring Winners (Asbell)
6. Ratification of Financial Controls Ordinance 14-06 (Vargus)

Mayor Vargus explained the difference between General Elections and Special Elections and reported that the polling location for the special election would be at Lakewood Village Town Hall.

MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Bushong 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)

Consideration of Variance Request by Mike Crow on Masonry Requirement and Front Facing Garage for 1234 Garza Lane in Lakewood Village Extra Territorial Jurisdiction (Asbell)

(Agenda Item E.1)

Mayor Vargus reported that Mr. Crow was unable to attend the council meeting. Mayor Vargus reviewed the variance requests on masonry and front facing garage.

MOTION: Upon a motion made by Councilman Newsome and seconded by Councilman Getka, council voted five (5) “ayes” and no (0) “nays” to grant the variance request for front facing garage and a building with less than 80% masonry. The motion carried. *The motion carried.*

Consideration of Appointment Kimley Horn for Town Engineers (Vargus)

(Agenda Item E.2)

Mayor Vargus introduced Mr. Glenn Gary and Mr. Todd Strouse with Kimely Horn. Mr. Strouse would be the main contact for the Town of Lakewood Village. Mr. Gary gave a history of the company and reviewed the resources of Kimley Horn. Mr. Strouse reviewed his experience with municipal projects. There was some discussion about the needs of the Town and the ability of Kimley Horn to respond to those needs.

MOTION: Upon a motion made by Councilman Bushong and seconded by Mayor Pro-Tem Menckhoff, council voted five (5) “ayes” and no (0) “nays” to appoint Kimley Horn as Town Engineers and authorize Mayor Vargus to execute the master agreement. *The motion carried.*

**Consideration of Sustainability Goals for
Lakewood Village (Reed)**

(Agenda Item E.3)

Councilman Reed reviewed the initial draft plan covering stewardship of resources and operational efficiency. Councilman Reed provided potential areas for focus on evaluation for cost savings opportunities, and recommendations for evaluation and reporting on the success in achieving the goals. There was some discussion with the representatives from Kimley Horn about their ability to make efficiency recommendations. Mayor Vargus stated that in addition to cost savings and efficiency he is interested in sustainability in efforts like reusing our water. Councilmembers thanked Councilman Reed for his efforts in creating this draft plan. There was some discussion about incorporation of suggestions and reviewing the proposal at a future meeting.

MOTION: No motion made.

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

(Agenda Item E.4)

Mayor Pro-Tem Menckhoff reported that the marquee was vandalized a few weeks ago and the front frame was broken. Mayor Pro-Tem Menckhoff stated that he would like to get a consensus from the council about support for this project before he asks vendors to come out and provide estimates. Mayor Vargus asked about the possibility of getting something like an outdoor television. There was some discussion about the range of costs. Councilman Newsome reported that the sign his church recently put up was in the low \$20,000 range for a double sided sign. Council discussed the different methods citizens have to get information other than the marquee sign. Council discussed replacing the cover on the existing sign and considering an electronic sign during the next budget cycle.

MOTION: No motion made.

**Consideration of Ice/Snow Road Plan for
Lakewood Village (Menckhoff)**

(Agenda Item E.5)

Mayor Pro-Tem Menckhoff thanked Councilman Newsome and Mr. Bill Schoknecht for assisting with sanding the roads during the last ice storm. Mayor Pro-Tem Menckhoff proposed adopting an established response plan for winter weather. Mayor Vargus stated that he discussed some sand spreader options with Mr. Sam Morgan. Councilman Getka asked about the possibility of making an agreement with the Town of Oak Point for assistance. Councilman Bushong recommended contacting the North Texas Toll Authority to see if an agreement could be made since their equipment would already be in the area while treating the toll bridge. There

was some discussion about organization and implementation of a plan. Councilman Getka volunteered to research options for spreading. There was some discussion about a comprehensive emergency response plan and the possibility of forming a volunteer response team.

MOTION: No motion made.

**Consideration of Resolution Supporting
House Bill 1418 Regarding Annexation
(Asbell)**

(Agenda Item E.6)

Town Secretary Asbell reported that passage of this House Bill would allow a municipality to voluntarily annex property that touches a State or county road as long as that road is contiguous to the corporate limits of the town. Mayor Vargus reported that the concrete road that enters the town is currently outside the town limits and is considered a county road.

MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Newsome, council voted five (5) “ayes” and no (0) “nays” to approve resolution 15-01 supporting House Bill 1418. *The motion Carried*

**Consideration of Resolution Opposing Senate
Bill 182 (Asbell)**

(Agenda Item E.7)

Mayor Vargus reported that some the State Legislators have supported lowering the property tax rollback rate for a city from eight-percent to four-percent. Mayor Vargus reviewed the process for calculating the effective tax rate. Mayor Vargus reviewed the effect of the bill on property owners and on municipalities. Mayor Pro-Tem Menckhoff stated that he likes the idea of protecting the taxpayers. Mayor Vargus stated that he likes protection of the taxpayers but does not support the mandatory election component of the bill. There was some discussion about support or opposition of the bill.

MOTION: No motion made.

**Discussion of Capital Improvement Projects
Plan for 2015 (Vargus)**

(Agenda Item E.8)

Mayor Vargus reviewed some of the projects being considered for the next budget year; a new Utility Department building, replacement of the water valves on the Hillside side of the water plant, continuation of the fire hydrant project focusing on Hillside, impact fee study, an

additional ground storage tank, and an emergency interconnect for water supply with the Town of Little Elm. There was some discussion about the need for impact fees, the risk of not having impact fees, and the process for adopting them. There was some discussion about cost of various projects.

**Consideration of Amendment of Building
Packet to Require Use of Roll-Off Container
(Vargus)**

(Agenda Item E.9)

Mayor Vargus reported that the requirement for the use of roll-off containers has been discussed in the past. Allied Waste included construction roll-off containers in the newly executed contract. There was some discussion about the current practice of builders to build a “box” of plywood to contain trash during construction projects. There was some discussion about the additional cost to builders. There was some discussion about the establishment of guidelines. Mayor Vargus stated he would provide council with costs and proposed guidelines to consider at the next council meeting.

MOTION: No Motion made.

EXECUTIVE SESSION:

(Agenda Item F)

At 9:59 p.m. Mayor Vargus recessed into executive session in compliance with Section (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) § 551.076 Texas Government Code to wit: deliberations about security devices.

RECONVENE:

(Agenda Item G)

Mayor Vargus reconvened the regular session of the Lakewood Village Town Council at 10:47 PM.

MOTION: Upon a motion made by Councilman Bushong and seconded by Councilman Getka, council voted five (5) “ayes” and no (0) “nays” to authorize Mayor Pro-Tem Menckhoff too purchase and install a security camera system to cover the Town Hall property, subject to compliance with the State retention schedule, for a cost not to exceed \$2,500. *The motion Carried*

COUNCIL AND STAFF COMMENTS

(Agenda Item H)

Mayor Vargus reported on a meeting with Lannie Noble, Denton County Elections Administrator, regarding the joint election contract and the restrictions that participating in the joint contract places on Lakewood Village.

Mayor Vargus reported on a meeting with State Representative Pat Fallon regarding the proposed bill clarifying the definition of “municipality” and polling place locations.

ADJOURNMENT

(Agenda Item F)

MOTION: Upon a motion made by Mayor Pro-Tem Menckhoff and seconded by Councilman Getka, 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, March 12, 2015. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 14th day of May 2015.

APPROVED

Dr. Mark E. Vargus
MAYOR

ATTEST:

Linda Asbell, TRMC
TOWN SECRETARY