

LAKWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

SEPTEMBER 10, 2020

Council Members:

Dr. Mark Vargus, Mayor
Darrell West – Mayor Pro-Tem
Clint Bushong
Serena Lepley
Matt Bissonnette
Eric Farage

Town Staff:

Linda Asbell, TRMC, CMC – Town Secretary
Amanda Davis – Deputy Town Attorney

REGULAR SESSION - 7:00 P.M.

With a quorum of the Council Members present, Mayor Vargus called the Regular Meeting of the Town Council to order at 7:02 p.m. on Thursday, September 10, 2020 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

PROCLAMATION:

(Agenda Item C)

Mayor Vargus read a proclamation designating September 17-23, 2020 as Constitution Week. The proclamation will be presented to the Prestonwood Chapter of the Daughters of the American Revolution.

PUBLIC HEARING:

(Agenda Item D)

A public hearing was held to provide an opportunity for citizens to comment on the proposed property tax rate. Mayor Vargus opened the public hearing at 7:04 p.m.

No one requested to speak.

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Mayor Pro-Tem West, council voted five (5) “ayes”, no (0) “nays” to close the public hearing at 7:05 pm. *The motion carried.*

PUBLIC HEARING:

(Agenda Item E)

A public hearing was held to provide an opportunity for citizens to comment on the requested annexation of A0339A C.C. Dickson, Tr 2A, 14.9108 acres, and A0339A C.C. Dickson, Tr 2A (1), 0.164 acres. Mayor Vargus opened the public hearing at 7:05 p.m.

No one requested to speak.

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilman Bissonnette, council voted five (5) “ayes”, no (0) “nays” to close the public hearing at 7:06 pm. *The motion carried.*

CONSENT AGENDA:

(Agenda Item F)

1. Variance Request on Roof Pitch for 819 Carrie Court (Asbell)
2. Minutes of August 13, 2020 Council Meeting (Asbell)
3. Abandonment of Drainage Easement between Lots 17 and 18 on Block N of District 3, 860 Highridge Drive (Asbell)

Mayor Vargus reviewed Consent Items 1. and 3.

MOTION: Upon a motion made by Councilwoman Lepley seconded by Councilman Farage, council voted five (5) “ayes”, no (0) “nays” to approve the consent agenda items as presented. *The motion carried.*

REGULAR AGENDA:

(Agenda Item G)

**Ratification of Fiscal Year 2020-2021 Budget
(Asbell)**

(Agenda Item G.2)

MOTION: Upon a motion made by Mayor Pro-Tem West seconded by Councilwoman Bissonnette, council voted five (5) “ayes”, no (0) “nays” to ratify the property tax increase reflected in the 2020-2021 budget as adopted. *The motion carried.*

ROLLCALL VOTE

Mayor Vargus – present and not voting
Mayor Pro-Tem West - aye
Councilman Bushong - aye
Councilwoman Lepley - aye
Councilman Farage - aye
Councilman Bissonnette - aye

**Consideration of Fiscal Year 2020-2021
Property Tax Rate (Vargus)**

(Agenda Item G.1)

Mayor Vargus reported on the changes to the property tax laws regarding the roll-back election. The roll-back election is required if the property tax rate is increased above 3.5 percent, however small municipalities are only required to have an election if certain conditions are met and a petition is received. If a municipality tax rate is increased below 3.5% the municipality is permitted to roll the different forward to future years.

MOTION: Upon a motion made by Councilman Bissonnette seconded by Councilwoman Lepley council voted five (5) “ayes”, no (0) “nays” that the property tax rate be increased by the adoption of a combined property tax rate of \$0.45/\$100 which is effectively an eight percent increase in the tax rate. *The motion carried.*

ROLLCALL VOTE

Mayor Vargus – present and not voting
Mayor Pro-Tem West - aye
Councilman Bushong - aye
Councilwoman Lepley - aye
Councilman Farage - aye
Councilman Bissonnette - aye

Discussion of Concrete Roads (Vargus)

(Agenda Item G.3)

Mayor Vargus reported on pouring delays caused by recent heavy rains. Ed Bell Construction will attempt to pour Meadow Lake on Friday, September 11, 2020. Stowe Lane have drainage issues where the contractor did not follow the construction plans. A plan is being implemented to correct the problems. There was some discussion about the survey process including elevations for grading. There was some discussion about discoloration and thickness of the center line on Stowe Lane. Mayor Vargus reported that a fire hydrant on Meadow Lake will be moved to allow for a drainage inlet and the six-inch water main will be extended.

**Consideration of Engineering Traffic Study
(Vargus)**

(Agenda Item G.4)

Mayor Vargus reported that a traffic warrant is required for the traffic light at the entrance to town. Kimley Horn will provide a task order to perform the traffic study. The cost is between \$20,000 and \$30,000 which is covered in the Development Agreement with Sam Hill.

MOTION: Upon a motion made by Mayor Pro-Tem West seconded by Councilman Bissonnette, council voted five (5) “ayes”, no (0) “nays” to authorize Mayor Vargus to execute a task order with Kimley Horn for the traffic study. *The motion carried.*

**Discussion of Rocky Point Water System
(Vargus)**

(Agenda Item G.5)

Mayor Vargus reported on a failure at the Last Resorts Water System. Mayor Vargus reported that Mark Patterson of Patterson Professional Services was contacted by the Texas Commission on Environmental Quality as the operator for the Town of Lakewood Village. Mr. Patterson used his position as the operator for the town to attempt to take the water system into his personal business rather than notify the Town. Mayor Vargus reported that an emergency interconnect was established between the Rocky Point Water System and the Last Resorts Water System. Mayor Vargus reported on efforts he and the Town Secretary have undertaken to work with Texas Commission on Environmental Quality and the Public Utility Commission to be named as the temporary operator. Mayor Vargus and Secretary Asbell have met with the owners of the Last Resorts Water System to begin the process of transferring ownership of the system to the Town of Lakewood Village.

Mayor Vargus reported that Mark Patterson of Patterson Professional Services emailed the Town Secretary the day after the town found out about the takeover attempt and terminated his contract. The Town is enforcing the 90-termination clause in the contract.

**Discussion of Halloween Hayride Alternatives
(Vargus)**

(Agenda Item G.6)

Mayor Vargus reported that due to the COVID-19 situation he has determined it is not safe to hold the traditional Halloween Hayride. Council discussed alternatives including the possibility of the town creating a map of addresses who have notified town hall they want to distribute candy or exploring the possibility of borrowing golf carts for a Halloween trick or treating parade. Councilman Farage recommended identifying properties with stakes or flags. Councilwoman Lepley recommended not complicating Halloween because everyone follows the “porch-light-on or porch-light-off” rule. There was some discussion about the responsibility for safety being on the parents of children who participate and the adults who are handing out candy.

EXECUTIVE SESSION:

(Agenda Item H)

At 7:50 p.m. Mayor Vargus recessed into executive session in accordance with

1. § 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 re: Development agreements, development and zoning standards
2. § 551.071(1), Texas Government Code to wit: consultation with Town Attorney regarding pending or contemplated litigation re: Town of Lakewood Village V. Patterson Professional Services.
3. § 551.074, Texas Government Code to wit: Personnel Matters
4. § 551.072 Texas Government Code to wit: deliberations about real property regarding Sam Hill Ventures, and Sanctuary at Sunset Cove
5. § 551.087 Texas Government Code to wit: Economic Development Negotiations regarding Sam Hill Ventures, and Sanctuary at Sunset Cove

RECONVENE:

(Agenda Item I)

Mayor Vargus reconvened the regular session at 8:39 p.m. No action was taken.

ADJOURNMENT

(Agenda Item I)

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Mayor Pro-Tem West council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular

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REGULAR SESSION
SEPTEMBER 10, 2020**

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Meeting of the Lakewood Village Town Council at 8:40 p.m. on Thursday
September 10, 2020. The motion carried.

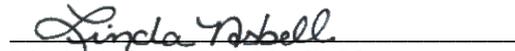
These minutes approved by the Lakewood Village Town Council on the 10th day of December
2020.

APPROVED:



Darrell West
MAYOR PRO-TEM

ATTEST:



Linda Asbell, TRMC, CMC
TOWN SECRETARY

