

LAKEWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

MAY 12, 2016

Council Members:

Dr. Mark Vargus, Mayor
Carl Menckhoff, M.D., Mayor Pro-Tem
Clint Bushong
Ray Duff
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 7:00 p.m. on Thursday, May 12, 2016, 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 Comprehensive Plan including thoroughfare plan and future land use assumptions. Mayor Vargus opened the public hearing at 7:00 pm.

Mayor Vargus reported that this is an ongoing public hearing to allow citizens to provide input as the council is working on the updates to the plan. No action will be taken tonight on the plan.

MOTION: Upon a motion made by Mayor Pro-Tem Menckhoff and seconded by Councilman Duff, council voted five (5) "ayes" and no (0) "nays" to close the public hearing at 7:01 pm. *The motion carried.*

PUBLIC HEARING:

(Agenda Item D)

A public hearing was held to provide an opportunity for citizen comment on the LandPlan Development proposed preliminary plat. Mayor Vargus opened the public hearing at 7:07 pm.

Mayor Vargus reported that a preliminary plat is a document that lays out how the land is going to be divided. Mayor Vargus stated the submittal made by LandPlan which complies with the current zoning of one acre lots. Mayor Vargus reviewed the proposed layout of roads. George Stuyck asked about a conflict with property ownership on the south boundary of the LandPlan property and the properties on the far west end of Carrie Lane. Mayor Vargus stated that a traffic study will likely be completed in the future to establish the need for a traffic light. Mayor Vargus introduced Todd Strouss from Kimley Horn, the Town's engineering firm. There was some discussion about the unlikelihood that Denton County would pay for a traffic light at the entrance. There was some discussion about the need to increase the water and sewer capacities and require impact fees. The cause of the water emergency last summer was the rain and flooding that abruptly stopped causing a large number of residents to begin watering their properties all at once. This resulted in a record setting water consumption in June and the drawdown of the available water. Mayor Vargus introduced Doug Mousel, Vice President of Entitlements for LandPlan Developments. Mr. Mousel stated the property on the north side of Lakecrest is going to be held in reserve for future development. Mr. Mousel reviewed some of the design features of the proposed plan. There was some discussion about LandPlan's process of selecting builders to purchase and develop the individual lots. LandPlan expects this to be developed exclusively as custom homes with a limited selection of approved builders. There was some discussion on the expected timeline for development; possibly final approval of plats by the end of the year, and an additional eight months or so for construction of the infrastructure. Mr. Mousel reviewed the trails and green space dedications to the town within the development. Mr. Mousel stated that it is LandPlan's intention to maximize tree preservation and the natural feel of the 40' wide trail. It is possible it could be fenced with an iron fence rather than a privacy fence. There was some discussion about the name of the main road being Lakewood Village Drive and the westward stub-out road could be named through a contest. There was some discussion about public lake access. Mr. Mousel stated that LandPlan is expecting homes in this development to range from \$600,000 to \$800,000 as a minimum. Councilman Bushong reported that LandPlan has not asked for any concession on standards, they meet all the requirements of the current zoning. There was some discussion about the screening wall requirements for properties along Lakecrest and Highridge Drive. There was some discussion about road improvements on Lakecrest Drive and Highridge Drive.

MOTION: Upon a motion made by Councilman Bushong and seconded by Councilman Newsome, council voted five (5) "ayes" and no (0) "nays" to close the public hearing at 8:15 pm. *The motion carried.*

CONSENT AGENDA:

(Agenda Item E)

1. Minutes of April 14, 2016 Council Meeting (Asbell)
2. Minutes of April 19, 2016 Council Meeting (Asbell)
3. Canvass of Election Returns for the Lakewood Village Special Election (Asbell)
4. Resolution Declaring the Results of the May 7, 2016 Lakewood Village Special Election (Asbell)

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

REGULAR AGENDA:

(Agenda Item F)

**Presentation of Mosquito and Zika Virus
Risk Report by Cynthia Steward (Asbell)**

(Agenda Item F.5)

Mayor Vargus introduced Lakewood Village resident, Cynthia Steward. Ms. Steward stated that she is a Lakewood Village resident who has extensively studied Zika Virus and West Nile Virus. Ms. Steward provided information on the transmission and prevalence of the virus and the mosquitos which carry the virus as well as information on prevention and treatment of Zika virus if it is contracted by a human.

**Consideration of Preliminary Plat submitted
by LandPlan Development for Lakewood
Village Estates (Vargus)**

(Agenda Item F.6)

Mayor Vargus reported that the engineer provided comments to the submitted plat and LandPlan has responded to and addressed each comment. The preliminary plat does not, nor is it intended to, address any water or sewer uses or concerns. Mr. Frank Jaromin expressed concern about the entrance to town and concern with the placement of the trail and possible trespass onto the properties located on Melody Lane and Carrie Lane. Mr. Doug Mousel reported that the entrance will have a median divided entry and a short median on Stowe and on Lakecrest.

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 approve the preliminary plat as submitted on by LandPlan. *The motion carried.*

**Discussion of Repair of Melody Lane
(Vargus)**

(Agenda Item F.7)

Mayor Vargus reviewed the various options for repair or replacement of Melody Lane. Mayor Vargus reviewed the report provided by Kimley Horn on repair options for Melody Lane. Option 1 is a one-course chip seal application for \$140,000. Option 2 is a two-course chip seal application to the entire road for \$200,000. Mayor Vargus reported that, in general, the cost of a concrete road is approximately \$200 per running foot which would make the cost of converting Melody Lane to concrete would be approximately \$440,000. Mayor Vargus reported on the cost benefit of timing the construction of Melody Lane during the time that LandPlan is constructing their roads. There was some discussion about drainage along Melody Lane and at the intersection with Highridge Drive. Mayor Pro-Tem Menckhoff stated that he would like to consider trying to concrete more of the roads. The council has been hesitant to increase the property tax rate to fund road replacement but he would like to offer the citizens the opportunity to consider the increase to replace the rest of the roads now rather than waiting. There was some discussion on providing a mechanism for citizens to give feedback on their preference about timing for repair of the remaining roads and their willingness to bear the tax increase that would be required.

**Consideration of Water and Sewer Impact
Fees (Vargus)**

(Agenda Item F.8)

Mayor Vargus reported that the engineers are waiting for guidance from the Town on the type of well we need. The engineers have proposed a Well Feasibility Study to perform an analysis of cost, water quality, depth, aquifer volume, etc. for a cost of approximately \$25,000. There was some discussion on the long term viability and health of the Paluxy aquifer. There was some discussion about how whether council wants to proceed with the well study before finalizing the impact fees or if council would rather determine on their own the type of well to construct. There was some discussion about sewer impact fees and the coverage area of the sewer certificate of convenience and necessity. Mayor Vargus reported that there would be a cost savings if the sewer impact fee study is completed at the same time as the water impact fee study.

MOTION: Upon a motion made by Councilman Bushong and seconded by Councilman Duff, council voted five (5) “ayes” and no (0) “nays” to authorize Mayor Vargus to execute the contract with Kimley Horn for completion of a Wastewater Impact Fee Study. *The motion carried.*

Mayor Vargus thanked Mr. Todd Strouss of Kimley Horn for being flexible and responsive as the town council asks for different information.

**Discussion of Status of New Water Ground
Storage Installations (Vargus)**

(Agenda Item F.9)

Mayor Vargus reported that the additional water storage tank and pressure tank will be delivered next Wednesday. Mayor Vargus reviewed the cost of the water expansion project and the total paid to date. The total cost of the project will be approximately \$40,000 to increase our water capacity by nearly 60%. The project is expected to be completed by July 1, 2016.

Mayor Vargus reviewed the water expansion project for the Rocky Point Water System. The additional water storage tank and associated expenses are expected to be approximately \$22,500 and expected to be completed by July 1, 2016.

**Consideration of Continuation of Level
Yellow Watering Restrictions (Bushong)**

(Agenda Item F.10)

Councilman Bushong reported that the Town is still on “Level Yellow” watering restrictions. Soaker hoses, drip irrigation, and hand-held watering are permitted on any day. Irrigations systems can operate on any day except Sunday and watering is prohibited on any day between 3am and 9am. There was some discussion about the early morning watering restriction to protect the water availability for people getting up and preparing to go to work in the mornings. There was some discussion about lifting the Sunday irrigation prohibition.

MOTION: Upon a motion made by Mayor Pro-Tem Menckhoff and seconded by Councilman Duff, council voted five (5) “ayes” and no (0) “nays” to modify level yellow watering restriction to lift the Sunday irrigation prohibition. *The motion carried.*

Discussion of Comprehensive Plan (Vargus)

(Agenda Item F.11)

No discussion.

**Discussion of Land Use Assumptions
(Vargus)**

(Agenda Item F.12)

Mayor Vargus recommended leaving the land use assumptions as they are. LandPlan submitted a plan with one-acre lots which is exactly as the land use assumption is now. There was some discussion about the timing of adoption of the newly revised comprehensive plan.

**Discussion of Enforcement of Stop Sign
Violations (Asbell)**

(Agenda Item F.13)

Town Secretary Linda Asbell reported on complaints received recently about vehicles running stop signs and several near accidents. Mayor Vargus reported some of the options the town has; 1) hire a deputy that would issue citations, installation of medians or “round-a-bouts”, or installation of speed bumps. Council requested the Town Secretary obtain cost of hiring a deputy sheriff or constable for a few hours for enforcement. Mayor Vargus reported that he will include information in the Mayor’s letter. There was some discussion about lowering the speed limit. There was some discussion about the danger of the violators running the stop sign at Lakecrest and Highridge and harming the children that are on the town hall playground daily.

EXECUTIVE SESSION:

(Agenda Item G)

At 10:29 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) § 551.072 Texas Government Code to wit: deliberations about real property; and (3) § 551.087 Texas Government Code to wit: Economic Development Negotiations

RECONVENE:

(Agenda Item H)

Mayor Vargus reconvened the regular session of the Lakewood Village Town Council at 10:40 pm.

COUNCIL AND STAFF COMMENTS

(Agenda Item I)

Mayor Vargus reminded council members of the special council meeting on May 27th and the June 8th council meeting.

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 10:42 p.m. on Thursday, May 12, 2016. The motion carried.

**LAKWOOD VILLAGE TOWN COUNCIL
REGULAR SESSION
MAY 12, 2016**

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These minutes approved by the Lakewood Village Town Council on the 8th day of July 2016.

APPROVED

Dr. Mark E. Vargus
MAYOR

ATTEST:

Linda Asbell, TRMC
TOWN SECRETARY