

**LAKWOOD VILLAGE TOWN COUNCIL**

**COUNCIL MEETING**

**APRIL 13, 2017**

**Council Members:**

Dr. Mark Vargus, Mayor  
Ed Reed – Mayor Pro-Tem  
Clint Bushong  
Gary Newsome  
Ray Duff  
Dan Tantalo – Arrived at 7:04 p.m.

**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 Meeting of the Town Council to order at 7:00 p.m. on Thursday, April 13, 2017, 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.

**CONSENT AGENDA:**

**(Agenda Item C)**

1. Minutes of February 9, 2017 Council Meeting (Asbell)
2. Minutes of March 9, 2017 Council Meeting (Asbell)

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

**REGULAR AGENDA:**

**(Agenda Item D)**

**Consideration of Replat Request for 3959  
Spinnaker Run Pointe (Asbell)**

**(Agenda Item D.1)**

The owner of 3959 Spinnaker Run Pointe has requested that consideration of this item be postponed until a future meeting.

**Consideration of Expenses for Finalization of  
Ground Storage Tank Installation (Vargus)**

**(Agenda Item D.2)**

Mayor Vargus reported that the ground storage tank was purchased at a significantly discounted price from Lincoln Water System. The storage tank has been installed, sealed, and leak tested. Mayor Vargus discussed the plumbing on the three storage tanks that allows for isolation of each tank for repairs or upgrades without affecting water distribution to the town. The electronics need to be installed to control the water level in the tanks, connect the full system together, and coordinate fill levels. Mayor Vargus reported that the council approved acquiring and installation of the tanks but council needs to review the proposal from C&S Services for the controls. He would like to have the full water system installed and operational prior to the high demand of the summer. There was some discussion about all the equipment being located in the well house at the water system. Councilman Tantalo asked for the total cost of the project. There was some discussion about the project being undertaken without a full project plan being in place prior to beginning the project. Councilman Tantalo stated that he applauds the work done but would have preferred seeing a project plan prior to commencement. Mayor Vargus reported that Kimley Horn, the former Town Engineer, provided an estimate for additional water storage. The cost estimate was between \$300,000 and \$500,000. Mayor Vargus stated that when the equipment became available from Lincoln Park it was an opportunity that the town could not pass up.

**MOTION:** Upon a motion made by Clint Bushong and seconded by Councilman Newsome, council voted four (4) “ayes”, and one (1) “nay” (Councilman Tantalo) to authorize the Mayor to enter into an agreement with C&S Services to complete the controls for the new water storage tank. *The motion carried.*

**Discussion of Road Repairs (Newsome)**

**(Agenda Item D.3)**

Councilman Newsome reviewed the asphalt repairs made to Carrie Lane and Melody Lane. Councilman Newsome reported that the vendor that made the repairs would make additional repairs at the same price of \$2.00 per square foot. There was some discussion about the road damage to Carrie Lane due to the home construction equipment being driven on the roads.

Mayor Vargus reported that Town Secretary Asbell recommended moving the weight limit sign to a more visible location. There was some discussion about the balance of the road repair fund and the size of repairs needed. There was some discussion about the budget approved for road repairs. There was some discussion about the condition of the current road repairs and the vendor warranty covering new repairs and fixing failed previous repairs.

**Consideration of Revision to Lakewood  
Village Code Compliance Form (Bushong)**

**(Agenda Item D.4)**

Councilman Bushong reported that council updated the building compliance code and he wanted to update the current forms to reflect the code council previously adopted. There was some discussion about the checklist that was included in the pre-construction meeting.

**MOTION:** Upon a motion made by Councilman Duff and seconded by Councilman Bushong, council voted five (5) “ayes”, no (0) “nay” to the adopt Revision to the Lakewood Village Code Compliance Form. *The motion carried.*

**Consideration of Certificate of Occupancy  
Checklist Form (Bushong)**

**(Agenda Item D.5)**

Councilman Bushong reviewed the proposed occupancy checklist form. The items on the checklist are standard items that have been in the ordinance for many years.

**MOTION:** Upon a motion made by Councilman Duff and seconded by Councilman Bushong, council voted five (5) “ayes”, no (0) “nay” to the approve the certificate of occupancy checklist form. *The motion carried.*

**Discussion of Oversized Vehicle / On and Off  
Street Parking (Vargus)**

**(Agenda Item D.6)**

Mayor Mark Vargus reported that the town has received a handful of questions about some of the oversized vehicles in town. Mayor Vargus stated that the town can regulate oversized vehicle parking on streets but many no-parking signs would be required to be posted around town. The transportation code does not cover parking of oversized-vehicles on private property. Mayor Vargus reported that regulation of parking on private property is more difficult because it involves property use. Mayor Vargus stated that the town cannot regulate the number of vehicles parked at a property. There was some discussion about the definition and regulation of junked

vehicles and the change in the State law after the town ordinance was passed. There was some discussion about protecting property owner's rights to park vehicles on their private property.

**Consideration of Temporary Waving of  
Fence Permit Fee and Town Clean-Up  
(Newsome)**

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**(Agenda Item D.7)**

Councilman Newsome stated that he would like to assist citizens in spring-clean up by temporarily waiving the \$25 fence permit fee and possibly providing a roll-off for contractors/citizens to deposit old fencing. Councilman Newsome reported that any time the town has attempted to provide roll-offs the containers people have filled it with prohibited items. Mayor Vargus reported that Allied Waste will not provide a roll-off unless the town provides constant monitoring. The town would incur fines if the waste was taken to the landfill and prohibited items like paint or other household hazardous materials are mixed in with the trash. Councilman Newsome asked for the town to investigate the cost of providing bulk-trash pick up two months in a row. Town Secretary Asbell clarified that the permit requirement and fee for pool enclosures cannot be waived.

**MOTION:** Upon a motion made by Councilman Bushong and seconded by Councilman Newsome, council voted five (5) "ayes", no (0) "nay" to waive the fence permit beginning April 13, 2017 through June 30, 2017. *The motion carried.*

**Discussion of Budget Review (Tantalo)**

**(Agenda Item D.8)**

Councilman Tantalo reported that in general the town is running well but he has concerns about some of the specific budget line items. Councilman Tantalo reported that all revenue received is a "tax on the people" and that is the only way he will define revenue. Councilman Tantalo reported that he has a concern about legal bills. He would like to open a budget discussion every month so council knows what is going on and what is being spent. Mayor Vargus stated that he submits the first draft of the budget in June. Mayor Vargus spends time with the Town Secretary reviewing the expenses because the town reports on a cash basis. He reviews the line items on an accrual basis for preparing the budget. Mayor Vargus stated that Lakewood Village operates on a modified cash basis approved by the Government Account Standards Board. During the audit the accountant converts the finances into modified accrual. Mayor Vargus explained that using the accrual basis would not help in the operation of the town and management of the funds. There was some discussion about council monitoring the budget numbers more often. There was some discussion about the intent of this agenda item and Councilman Tantalo's desire to watch the budget. Town Secretary Asbell reported that she places financial reports on the town website each month.

**EXECUTIVE SESSION:**

**(Agenda Item E)**

At 8:29 p.m. Mayor Vargus recessed into executive session in accordance with Texas Government Code, Section 551.001, et seq., the Town Council will recess into Executive Session (closed meeting) to discuss the following: (1) §551.071(2): Consultation with 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 re: Town boundaries, annexations, dis-annexation, and interlocal agreements; and (2) §551.087: To discuss or deliberate regarding commercial or financial information that the Town of Lakewood Village has received from a business prospect that the Town seeks to have locate, stay, or expand in or near the territory of the Town of Lakewood Village and with which the Town is conducting economic development negotiations; and/or to deliberate the offer of a financial or other incentive to the business prospect

**RECONVENE:**

**(Agenda Item F)**

Mayor Vargus reconvened the regular session of the Lakewood Village Town Council at 8:46 pm. No action was taken.

**COUNCIL AND STAFF COMMENTS**

**(Agenda Item G)**

Town Secretary Asbell, announced that the Easter Egg hunt will be from 10:00am to 12:00 pm on April 15, 2017 at Town Hall.

Councilman Newsome reported that he and Mayor Pro-Tem Ed Reed are going to rebuild the message board for the mail boxes on Highridge.

Mayor Pro-Tem Reed reported that striping on the road at the entrance to town has been completed.

Town Secretary Asbell reported that the renovation of 423 Hillside is nearing completion also that 474 Peninsula has been sold and the new owner plans on demolishing the home in the very near future.

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**ADJOURNMENT**

**(Agenda Item H)**

**MOTION:** Upon a motion made by Councilman Bushong and seconded by Councilman Duff council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Meeting of the Lakewood Village Town Council at 8:05 p.m. on Thursday, April 13, 2017. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 11th day of May 2017.

APPROVED

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Ed Reed  
MAYOR PRO-TEM

ATTEST:

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Linda Asbell, TRMC  
TOWN SECRETARY