

LAKEWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

MARCH 10, 2016

Council Members:

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

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, March 10, 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 7:02 pm.

Mayor Vargus reported that Councilman Bushong is absent this meeting and the components of the comprehensive plan will be presented at a future meeting.

No one requested to speak.

MOTION: Upon a motion made by Mayor Pro-Tem Menckhoff and seconded by Councilman Duff, council voted three (3) “ayes” and no (0) “nays” to close the public hearing at 7:02 pm. *The motion carried.*

PUBLIC HEARING:

(Agenda Item D)

A public hearing was held to allow owner, lienholder, or mortgagee of 665 Woodcrest Drive to show cause why the building or portion thereof shall not be declared to be an unsafe building and why the Town Council should not order said building to be vacated, repaired, removed, or demolished. Mayor Vargus opened the public hearing at 7:08 pm.

Mayor Vargus introduced Attorney Sammy Hooda, representing property owner, Wells Fargo. Mr. Hooda stated that based on his inspection of the property he will be recommending that Wells Fargo demolish the property and allow the town of Lakewood Village to take ownership of the property. Mr. Hooda stated that the condition of the property is deeply concerning and he does not believe the property can be rehabilitated and brought into compliance with building standards. There was some discussion about the various violations and dangers within the structure. Mr. Hooda stated that he feels Wells Fargo should relinquish the property to the town and the town will demolish the structures, or alternatively Wells Fargo can demolish the structures and then sell the land as a vacant property. There was some discussion about the ownership of the property. Wells Fargo listed the property for sale on an auction site. When Wells Fargo received the notices from the town about the public hearing the property was removed from the auction site. Mr. Hooda requested the town allow 90 days for Wells Fargo to plan a course of action and report back to the town.

Mr. Greg Bowden reported that he has been interested in purchasing the property for many years and expressed interest in exploring the possibility of purchasing and rehabilitating the house. There was discussion about zoning and code requirements and estimations of the cost to bring the property into compliance.

MOTION: Upon a motion made by Mayor Pro-Tem Menckhoff and seconded by Councilman Newsome, council voted three (3) “ayes” and no (0) “nays” to close the public hearing at 7:27 pm. *The motion carried.*

CONSENT AGENDA:

(Agenda Item E)

1. Minutes of February 4, 2016 Council Meeting (Asbell)
2. Minutes of February 11, 2016 Council Meeting (Asbell)
3. Minutes of February 18, 2016 Council Meeting (Asbell)
4. Ordinance Cancelling General Election and Declaring Winners (Asbell)

MOTION: Upon a motion made by Mayor Pro-Tem Menckhoff and seconded by Councilman Duff, council voted three (3) “ayes” and no (0) “nays” to approve the consent agenda as presented. *The motion carried.*

REGULAR AGENDA:

(Agenda Item F)

Consideration of Ordering 665 Woodcrest Drive to be declared an unsafe building and ordering it to be vacated, repaired, removed, or demolished (Vargus)

(Agenda Item F.5)

Mayor Vargus proposed that the council table this item for 90 days to allow Wells Fargo time to decide the appropriate method to resolve this property. Mr. Bowden reported that he would still be interested in purchasing the property.

MOTION: Upon a motion made by Mayor Pro-Tem Menckhoff and seconded by Councilman Newsome, council voted three (3) “ayes” and no (0) “nays” to table this item for 90 days. *The motion carried.*

Consideration of Appointments to the Municipal Development Board (Asbell)

(Agenda Item F.6)

Mayor Vargus reported that the board of Municipal Development District currently has five members and two additional people are interested in serving on the board of the MDD. Mayor Vargus reported that town council members will no longer be required to serve on the board as new members are added.

MOTION: Upon a motion made by Mayor Pro-Tem Menckhoff and seconded by Councilman Duff, council voted three (3) “ayes” and no (0) “nays” to appoint Mr. Bernd Mueller and Mr. Eric Farage to the Municipal Development Board. *The motion carried.*

Consideration of Professional Services Agreement with LandPlan (Vargus)

(Agenda Item F.7)

Mayor Vargus reported that he believes LandPlan will be making a submission in the near future so he would like to have a professional services agreement in place prior to any submission. There was some discussion on the scope and purpose of the professional services agreement.

MOTION: Upon a motion made by Mayor Pro-Tem Menckhoff and seconded by Councilman Newsome, council voted three (3) “ayes” and no (0) “nays” to authorize Mayor Vargus to re-execute the Professional Services Agreement with

LandPlan subject to updating the dates and the engineering fees to reflect Kimley Horn's rates. *The motion carried.*

**Consideration of Sanitary Buffer Zone
Ordinance (Asbell)**

(Agenda Item F.8)

Mayor Vargus reported that Town Secretary Linda Asbell submitted this ordinance to cover additional wells the town acquires or operates in compliance with the TCEQ requirements.

MOTION: Upon a motion made by Mayor Pro-Tem Menckhoff and seconded by Councilman Duff, council voted three (3) "ayes" and no (0) "nays" to approve the Sanitary Control Buffer Zone Ordinance as presented. *The motion carried.*

**Discussion of Texas Commission on
Environmental Quality Inspection and
Designation of Superior Water System for
Lakewood Village Water System (Vargus)**

(Agenda Item F.9)

Mayor Vargus reported that the Town water system recently was inspected by the TCEQ and for the first time the town received a perfect score. The town is working toward receiving a Superior Water System designation. Mayor Vargus reported on the requirements and standards that must be met to qualify for the superior designation. There was some discussion about performing an internal audit annually to assure the Town remains compliant with the Superior Water System standards.

**Consideration of Texas Commission on
Environmental Quality Inspection and
Deficiencies of the Rocky Point Water
System (Vargus)**

(Agenda Item F.10)

Mayor Vargus reviewed each of the alleged and potential violations as well as the plan for resolving these items. Municipal Development District Board President, Dan Tantalo, reviewed the MDD phased plan for compliance. President Dan Tantalo reported that the MDD has a cash flow problem and the board is looking to the town for assistance to implement plan. President Dan Tantalo reported that the MDD would like to bring the plan to the Town Council for approval between 60 and 90 days. Mayor Vargus reported on the plan to acquire equipment from the old Lincoln Park water system and the anticipated cost of \$20,000.

**Consideration of Repair/Rehabilitation of
Melody Lane & Carrie Lane (Vargus)**

(Agenda Item F.11)

Mayor Vargus reviewed the proposals received from Kimley Horn for three options of repair for Melody and Carrie Lane. The cost was much higher than anticipated. There was some discussion on interlocal agreements with Denton County for road repair work. Mayor Vargus reported that the Town had a good relationship with County Commissioner Cynthia White and received great road work at a reduced rate. Councilman Newsome reported that he and Councilman Ed Reed could meet with Hugh Coleman and explore the possibility of coming to an agreement for Denton County to provide road work to the town again. Dan Tantalo indicated that he would like to attend the meeting with Hugh Coleman if everyone was open to that.

MOTION: *No motion was made.*

Discussion of Comprehensive Plan (Vargus)

(Agenda Item F.12)

Mayor Vargus reported that there is nothing new to review in the document.

MOTION: *No motion was made*

EXECUTIVE SESSION:

(Agenda Item G)

At 8:31 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 9:11 pm.

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COUNCIL AND STAFF COMMENTS

(Agenda Item I)

Mayor Vargus read a thank you letter received from the Republican Committee for use of Town Hall during the election.

ADJOURNMENT

(Agenda Item J)

MOTION: Upon a motion made by Councilman Newsome and seconded by Councilman Duff, council voted three (3) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lakewood Village Town Council at 9:12 p.m. on Thursday, March 10, 2016. The motion carried.

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

APPROVED

Dr. Mark E. Vargus
MAYOR

ATTEST:

Linda Asbell, TRMC
TOWN SECRETARY