

Lavon City Council Meeting Minutes



December 15, 2009

I. MEETING CALLED TO ORDER AT 7:00 P.M. BY MAYOR MARTIN

Members Present: Mayor Norma Martin
Council Member Place 1, Chris Kane
Council Member Place 2, Deborah Nabors
Council Member Place 4, Aaron Heatley
Council Member Place 5, Paul Slay, Mayor Pro-Tem

Members Absent: Council Member Place 3, Gary Meeks

Staff Present: City Secretary, Linda Ardis
Developmental Services Coordinator, Laura Kennemer
Public Works Director, Kevin Dudley
Chief of Police, Jason Rector
City Fire Marshal, Rob Caldwell

Commission and Board Members: None

II. MAYOR MARTIN TO LEAD THE COUNCIL AND VISITORS IN THE PLEDGE OF ALLEGIANCE.

Mayor Martin led the City Council and visitors in the Pledge of Allegiance.

III. INVOCATION

Mayor Pro-Tem Slay led the invocation.

IV. ITEMS OF INTEREST/CITY COUNCIL COMMUNICATIONS

Members of City Council have the opportunity to notify others of community events, functions and other activities. There will also be an opportunity to briefly comment on City Council business, City operations, projects and other items coming before the City Council.

None

V. CONSENT AGENDA

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A. City Council to Consider and Act on approval of the consent agenda:

1. November 17, 2009 City Council Meeting *
2. December 1, 2009 City Council Meeting Minutes*

Council Member Deborah Nabors made the following motion:

Motion: Council Member Nabors "I move that we remove item one until such time corrections are made."

Second: Council Member Kane

In Favor: Council Member Kane, Council Member Nabors, Council Member Heatley and Mayor Pro-Tem Slay

Opposed: None

Abstained: None

Motion: Passed

Council Member Kane made the following motion:

Motion: Council Member Nabors "I move we approve the December 2, 2009 City Council Meeting Minutes."

Amendment to Motion: Council Member Heatley, "I would like to make an amendment to that motion. It is actually December 1, 2009 City Council Meeting Minutes.:

Second: Council Member Kane

In Favor: Council Member Kane, Council Member Nabors, Council Member Heatley and Mayor Pro-Tem Slay

Opposed: None

Abstained: None

Amendment to Motion: Passed

Council Member Heatley reminded the Mayor that the Council needed to vote on the first motion.

Second: Council Member Heatley

In Favor: Council Member Kane, Council Member Nabors, Council Member Heatley and Mayor Pro-Tem Slay

Opposed: None

Abstained: None

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Motion: Passed

VI. PUBLIC RECOGNITION

None

VII. CITIZENS' COMMENTS

Citizens, who wish to address the Council, may discuss matters not on the agenda and who have not previously expressed to the Council or City Hall a desire to discuss such matters. The only response from the Council can be to request these items to be placed on a future agenda for action.

None

VIII. PUBLIC HEARING

None

IX. ITEMS FOR DISCUSSION

A. City Council to discuss street lights. (Kane)

City Manager Jones and Public Works Director gave a Power Point presentation on a City of Lavon Street Light Study. After the presentation, Mr. Dudley told the audience he had met with Oncor last week and had driven through Bently Farms with them. They determined that if a light was put between each existing light in Bently Farms for a total of 12 additional lights, the estimated cost would run between \$37,000 to \$40,000 plus a monthly charge of \$21 for each light. David Simpson of Bently Farms asked who would be responsible for the cost.

City Manager Jones, Council Members Nabors and Kane explained that the City does not have the money in the budget, and there are other streets and other issues for other citizens in Lavon that have to be equally provided for in the City. Council Member Kane told the audience that each group deserves the same consideration, and the City does not have the money to accommodate everyone at this time.

Mayor Martin asked the City Manager about security lights. He told the audience that for individual security lights, they would need to contact Oncor directly.

B. City Council to discuss a citizen's request to increase the speed limit in Bently

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Farms. (Slay)

Mayor Pro-Tem Slay said that he had received this request by email. Several weeks ago, the City Council had discussed safety issues and speed bumps in Bently Farms, and now the issue of raising the speed limit had been brought up for discussion. Mr. Slay agreed to bring this item to the Council because he wanted to know what was going on and the citizen's opinion of the matter.

Don Mosley of Bently Farms said the only place he was use to seeing a 20 mph speed zones was in a school zone. In other neighborhoods in other cities, children play football in the street with 25to30 mph zones. He would like to see the speed zone raised.

Jeanen Eli of Bently Farms said she had researched the length it takes a car to stop going at different speeds. A car going 20 mph takes 40' to stop. The same car going 30 mph takes 75' to come to a stop. She wants the speed limit to remain at 20 mph.

Jeff Donaldson told the Council that from the farther most point in Bently Farms to the exit is approximately 1 mile. Going 20 mph, it takes you 1 ½ minutes to get to the exit. Going 30 mph, it takes 1 minute to get the exit. He told the audience that if ½ minutes made a person late to work, then they were already late.

Tina Wright told of a pizza delivery truck that passed her going 40-50 mph in Bently Farms. She followed the driver and when he stopped, she told him the speed limit in Bently Farms was 20 mph and that children play in the street.

Joan Aquatero said she had done research on Sec. 545.352 of the State Transportation Code. It stated that the Prima Facie Speed Limit was 30 mph. unless an engineer's survey was completed. If there was a danger, the speed limit would go down to 25 mph. City Manager Jones pulled up the same Code. He showed the audience the different Sections concerning municipalities and speed limits. The main problem is that the Code contradicts itself several times.

Pat Birchall, Karen Dyer, Deborah and Anthony Liberto and others voiced their opinions concerning the speed limit in Bently Farms. Council Member Kane told the audience he was not here when the Speed Limit Ordinance was passed, but today, he would still vote in favor of it. He reminded the audience that speed kills.

Mayor Pro-Tem Slay said people always exceed the speed limit. If you increase it to 30 mph, they will go 40 mph. He continued by saying that this was their neighborhood and the Council will do what they want them to do, but they have to live there together.

C. City Council to discuss safety issues in Bently Farms. (Kane)

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City Council Member Kane called on Becky Cooper of Bently Farms to discuss the issue. She told the Council that at a neighborhood meeting the citizens listed things that could be done to address the safety issue. They listed no outlet signs, children at play posted on the speed limit signs and additional stop signs. The citizens took an opinion poll and the results were 53 yes for stop signs, 36 no for stop signs and 9 no opinion.

City Manager Jones told the Council that this was a policy decision for the Council. His Concern was that too many stop signs can cause people to ignore them all together and cause accidents.

Council Member Kane suggested that the citizens really watch their speed. Add the additional signs for no outlets and children at play, but hold up on adding more stop signs at this time.

Council Member Nabors told the audience she felt incremental changes are a good idea. The issue could always be addressed again by the Council. Find out what is working first for the community.

Council Member Heatley reminded the audience that when you come to a complete stop and accelerate again and have to stop in a short distance, it can actually be harder to stop.

D. City Council to discuss update on organizational systems. (Nabors)

Council Member Nabors made the following motion:

Motion: Council Member Nabors "I move we move Item "D" to an upcoming City Council Meeting."

Second: Council Member Heatley

In Favor: Council Member Kane, Council Member Nabors, Council Member Heatley and Mayor Pro-Tem Slay

Opposed: None

Abstained: None

X. ITEMS FOR CONSIDERATION AND ACTION

A. City Council to consider and act on accepting the services of Rutherford, Taylor & Company (CPA) to prepare the September 30, 2009 Audit. (Linda)

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City Secretary Ardis told the Council this was the CPA firm we have used for the last three years. The firm does business with several municipalities and school districts and this letter of acceptance is routine and guarantees the City a place in line for yearly audits. Council Member Nabors asked the estimated cost. The City Secretary told her \$8,550. Council Member Kane asked if this amount was in line with the budget. He was told it was.

Motion: Council Member Kane "I move we accept the services of Rutherford, Taylor & Company to prepare the September 30, 2009 Audit."

Second: Council Member Nabors

In Favor: Council Member Kane, Council Member Nabors, Council Member Heatley and Mayor Pro-Tem Slay

Opposed: None

Abstained: None

B. City Council to consider and act on ordinance creating a Parks and Recreational Board Committee. (Martin)

Council Member Kane told the Council that he thought the committee was a good idea, but he had two concerns. It was hard to find members for the other three committees and now we have to form another committee. His second concern was that this committee did not overlap with the Property and Zoning Commission Board. City Manager Jones said this had been one of his concerns also. He suggested that the two groups have a joint meeting and go over who is responsible for what so there will not be an overlap of duties. As the committee is formed, it needs to work as a team with both the P & Z and the EDBC.

Mayor Martin told the Council that she knew there were people in the community who wanted this and would serve on a committee. Citizen Kay Wright made the remark that the audience had dwindled down to nothing after the Bently Farm discussion and they all knew this was on the agenda.

Council Member Nabors said she also wanted to make sure there were no quarrels between the boards and committees. There has to be clarity of responsibilities. The P & Z already have parks and recreational areas in their Comprehensive Plan for the City. She said she would talk with the P & Z at their next meeting.

Mayor Martin asked if the City Manager thought there needed to be additional research done on how other cities have handled this issue. City Manager Jones said he would do further research. However, he will be on vacation until after the first of the year.

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Motion: Mayor Pro-Tem Slay “I move we table Item “B” until the last meeting in January.”

Second: Council Member Nabors

In Favor: Council Member Kane, Council Member Nabors, Council Member Heatley and Mayor Pro-Tem Slay

Opposed: None

Abstained: None

C. City Council to consider and act on an amendment to the Planning & Zoning Ordinance. (Nabors)

City Manager Jones told the Council that the P & Z Commission had an issue with a lot of times only having three members present. Because the way the P & Z Ordinance read, it was hard to pass a motion if one of the three members voted no or abstained. This amendment is a procedural matter to avoid problems.

After viewing the wording of the change, Council Member Kane asked if the words “of those present” needed to be added after the word “votes”. City Manager Jones agreed.

Motion: Council Member Kane, “I move we approve the amendments as discussed.”

Second: Council Member Nabors

In Favor: Council Member Kane, Council Member Nabors, Council Member Heatley and Mayor Pro-Tem Slay

Opposed: None

Abstained: None

Motion: Council Member Kane, “I move we approve the amended amendment to the Planning & Zoning Ordinance.”

Second: Council Member Nabors

In Favor: Council Member Kane, Council Member Nabors, Council Member Heatley and Mayor Pro-Tem Slay

Opposed: None

Abstained: None

XI. SETTING FUTURE MEETINGS AND AGENDAS

Council Members and staff may request items to be placed on a future agenda or request a special meeting be called. Each request that passes by a majority vote will be placed on the schedule by the City Secretary.

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The following items were voted on to be placed on future agendas:

Motion: Council Member Kane, "I make a motion for the City Council to discuss an update from the Planning & Zoning Commission on January 19, 2010 and update from the EDCB on February 2, 2010."

Second: Council Member Nabors

In Favor: Council Member Kane, Council Member Nabors, Council Member Heatley and Mayor Pro-Tem Slay

Opposed: None

Abstained: None

Other items for the January 19, 2010 Agenda are:

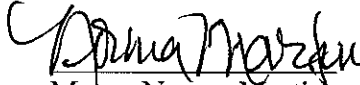
A. City Council to discuss update on Organizational Systems. (Nabors)

B. City Council to discuss Ordinance creating Parks & Recreational Board. (Mayor)


XII. MAYOR PRO-TEM SLAY TO ADJOURN THE LAVON CITY COUNCIL MEETING.

Mayor Martin adjourned the City Council Meeting at 8:44 p.m.

Duly passed and approved on this 5 day of January, 2010.


Mayor Norma Martin

Attest:



Linda Ardis, City Secretary