



**Lavon Joint City Council and Planning and Zoning
Commission Special Meeting Amended Minutes
December 30, 2013**

I. MEETING CALLED TO ORDER AT 7:18 P.M. BY MAYOR TESKE

Members Present: Mayor Chuck Teske
Council Member Place 1, Chris Kane, Mayor Pro-Tem
Council Member Place 2, Jorge Calderon
Council Member Place 3, Melissa Stroop
Council Member Place 4, Matt Childers

Members Absent: Council Member Place 5, Jenny Bodwell

Staff Present: City Secretary Chris Wess
Clerk LeAnn McClendon

Legal Representative: Brenda McDonald, Jennifer DeCurtis

Commission and Board Members: P & Z Commissioner Seat 2 Gary Meeks, P & Z Commissioner Seat 3 Carla Rankin, P & Z Commissioner Seat 4 Bill Bonney, P & Z Commissioner Seat 5 David Rosenquist, President EDC Kay Wright, Executive Director EDC Pam Mundo, EDC Board Member David Piekarski

Visitors: 4

There was a Super Quorum present.

II. MAYOR TESKE LED THE COUNCIL AND VISITORS IN THE PLEDGE OF ALLEGIANCE.

III. INVOCATION

Mayor Teske gave the invocation.

IV. CITIZENS COMMENTS

There were no comments.

Mayor Teske stated the Nevada Fire Department was in attendance.

V. ITEMS OF INTEREST/CITY COUNCIL COMMUNICATIONS

Mayor Teske relayed the City is continuing with the storm clean up and tree limbs will be picked up this week. He stated that if a Resident was in need of assistance, they needed to contact City Hall and make arrangements for the limbs to be picked up. He stated the City will be doing the limb pick for the rest of this week and maybe into next week. City Secretary Chris Wess introduced her assistant Clerk LeAnn McClendon.

VI. CONSENT AGENDA

A. Minutes of the December 3, 2013 meeting. (Wess)*



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- B. Minutes of the December 4, 2013 meeting. (Wess)*
- C. Ordinance 2013-12-05 adopting the 2012 Edition of the International Building Code.(Roberts)*
- D. Ordinance 2013-12-06 adopting the 2012 Edition of the International Plumbing Code and Regional Amendments. (Roberts)*
- E. Ordinance 2013-12-07 adopting the 2012 Edition of the International Mechanical Code and Regional Amendments. (Roberts)*
- F. Ordinance 2013-12-08 adopting the 2012 Edition of the International Fire Code. (Roberts)*
- G. Ordinance 2013-12-09 adopting the 2012 Edition of the International Energy Conservation Code and Regional Amendments. (Roberts)*
- H. Ordinance 2013-12-10 adopting the 2012 Edition of the International Property Maintenance Code. (Roberts)*
- I. Ordinance 2013-12-11 adopting the 2011 Edition of the National Electrical Code and Regional Amendments. (Roberts)*
- J. Ordinance 2013-12-12 adopting the International Residential Code and Regional Amendments and Additional Amendments as Recommended by the City Inspector. (Roberts)*

Mayor Teske stated he wanted to pull item F off the consent agenda. Mayor Pro-Tem Kane wanted to know why all these Ordinances were put on the agenda. City Secretary Wess stated these Ordinances were updated per Lee Roberts's request. Brenda McDonald relayed that there was not a deadline for adopting the ordinances. Mayor Pro-Tem Kane moved to approve agenda items A and B. He then withdrew his motion because City Secretary Wess had a change that needed to be made to the minutes. She conveyed on item A there was a typing error that she corrected. The letter "d" in front of the word meeting on the first line needed to be omitted.

Motion: Mayor Pro-Tem Kane moved to approve the amendment to item A.

Second: Council Member Stroop

In favor: Mayor Pro-Tem Kane, Council Members Calderon, Stroop and Childers

Opposed: None

Motion: Carries

Motion: Mayor Pro-Tem Kane moved to approve item A as amended and item B.

Second: Council Member Stroop

In Favor: Mayor Pro-Tem Kane, Council Members Calderon, Stroop and Childers

Opposed: None

Motion: Carries

Mayor Teske stated all other agenda items will be moved to Consider and Act.



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VII. CONSIDERATION AND ACTION

- A. City Council to Consider and Act on approving Ordinance No. 2013-12-13 amending the Comprehensive Zoning Ordinance No. 97-12-08 to add Planned Development. (Kane)
Mayor Teske read all the items on Consideration and Action.
- B. City Council to Consider and Act on Ordinance No. 2013-12-03- Annexing the hereinafter described territory known as Collin CAD Property ID 2666581, commonly known as 925 Lavon Circle, being a part of Lot 1, Lavon Business Park II, an addition to the City of Lavon, Collin County, Texas, and being an approximate 4.617 acre part of a 6.93 acre tract of land described in a plat as recorded in Volume 2010, Page 318 of the Plat Records of Collin County, Texas, into the City of Lavon, Texas, and extending the boundary limits of said City so as to include the described property within the City Limits, and granting to all the inhabitants of the property all the rights and privileges of other citizens and binding the inhabitants by all of the Ordinances, Resolutions, Acts and Regulations of the City; Adopting a Service Plan; Finding and determining that all requirements for annexation including public hearings, notices and open meetings have been met according to law; Providing instructions for filing this Ordinance and for correcting the Official Map and boundaries of said City; Providing severability and cumulative clauses; and providing an effective date. (Kane)
- C. City Council to Consider and Act on Ordinance No. 2013-12-04 - Annexing the hereinafter described territory known as Collin CAD Property ID 2666582, being all that certain lot, tract or parcel of land located in the W.A.S. Bohannon Survey, Abstract No. 121, Collin County, Texas, and being an approximate 4.104 acre part of a 24.73 acre tract of land described in a Deed from D.P. Brown to Lavon Business Park, a Texas Joint Venture, dated November 26, 2003 and being recorded in Volume 341, Page 638, Official Public Records of Collin County, Texas, into the City of Lavon, Texas, and extending the boundary limits of said City so as to include the described property within the City Limits, and granting to all the inhabitants of the property all the rights and privileges of other citizens and binding the inhabitants by all of the Ordinances, Resolutions, Acts and Regulations of the City; Adopting a Service Plan; Finding and determining that all requirements for annexation including public hearings, notices and open meetings have been met according to law; Providing instructions for filing this Ordinance and for correcting the Official Map and boundaries of said City; Providing severability and cumulative clauses; and providing an effective date. (Kane)
- D. City Council to Consider and Act on Waiving Applications and Fees for rezoning territory known as Collin CAD Property ID 2666581, commonly known as 925 Lavon Circle and territory known as Collin CAD Property ID 2666582, being all that certain lot, tract or parcel of land located in the W.A.S. Bohannon Survey,



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Abstract No. 121, Collin County, Texas, and being an approximate 4.104 acre part of a 24.73 acre tract of land described in a Deed from D.P. Brown to Lavon Business Park; projects sponsored by the Lavon Economic Development Corporation. (Kane)

Mayor Pro-Tem Kane gave a brief description of each of the Ordinances.

Motion: Council Member Stroop moved to approve Ordinance No. 2013-12-13 amending the Comprehensive Zoning Ordinance No. 97-12-08 to add Planned Development.

Second: Council Member Calderon

In Favor: Mayor Pro-Tem Kane, Council Member Calderon, Stroop and Childers

Opposed: None

Motion: Carries

Motion: Council Member Stroop moved to approve Ordinance No. 2013-12-03 Annexing territory known as Collin CAD Property ID 2666581.

Second: Council Member Childers

In Favor: Mayor Pro-Tem Kane, Council Member Calderon, Stroop and Childers

Opposed: None

Motion: Carries

Motion: Council Member Stroop made a motion to approve item C under Consider and Act.

Second: Council Member Calderon

In Favor: Mayor Pro-Tem Kane, Council Member Calderon, Stroop and Childers

Opposed: None

Motion: Carries

Motion: Council Member Stroop made a motion to approve item D under Consider and Act

Second: Council Member Childers

In Favor: Mayor Pro-Tem Kane, Council Member Calderon, Stroop and Childers

Opposed: None

Motion: Carries

MAYOR TESKE RECESSED (PENDING THE PLANNING AND ZONING PUBLIC HEARING AND RECOMMENDATION TO REZONE PROPERTIES) at 7:32 p.m.

VIII. COMMISSIONER BONNEY OF THE PLANNING AND ZONING COMMISSION CALLED THE COMMISSION TO ORDER AND ANNOUNCED THAT A QUORUM IS PRESENT at 7:33 p.m.

He stated Commissioner Ernest Cody was absent and all other members were present.

XI. COMMISSIONER BONNEY OF THE PLANNING AND ZONING COMMISSION OPENED THE PULBIC HEARING.



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Public Hearings to receive Public Comment on the following issues: (Bonney)

- A. Commissioner Bonney opened the Public Hearing to receive comments to consider proposed zoning changes of certain property from agricultural to Planned Development (PD) for existing and future structures for retail, restaurant, office, warehouse, industrial, technological, and commercial uses, by the City of Lavon Texas: an approximate 4.617 acre strip of land, generally located East of SH 205 and South of SH 78, out of Lot 1, Lavon Business Park II, and addition to the City of Lavon, Collin County, Texas.
- B. Commissioner Bonney opened the floor to Public Comment at 7:34 p.m.
There was no comment.
- C. Commissioner Bonney closed the floor to Public Comment at 7:34 p.m.

Commissioner Bonney asked if there was a motion to recommend approval of a change from agricultural to Planned Development on an approximate 4.617 acre strip of land, generally located East of SH 205 and South of SH 78, out of Lot 1, Lavon Business Park II, and addition to the City of Lavon, Collin County, Texas.

Motion: Commissioner Rosenquist made a motion to approve proposed changes.

Second: Commissioner Rankin

In Favor: Commissioners Meeks, Rankin, Bonney and Rosenquist.

Opposed: None

Motion: Carries

- D. Commissioner Bonney opened the Public Hearing to receive comments on proposed zoning changes of certain property from agricultural to Planned Development (PD) for existing and future structures for retail, restaurant, office, warehouse, industrial, technological, and commercial uses, by the City of Lavon Texas: an approximate 4.104 acre, generally located East of SH 205 and South of SH 78, part of a 24.73 acre tract of land located in the W.A.S. Bohannon Survey, Abstract No. 121, Collin, County, Texas.
- E. Commissioner Bonney opened the floor to Public Comment at 7:36 p.m.
City Secretary Wess relayed the City received a letter from Mr. McGaughey stating he is in favor of both the zoning changes.
- F. Commissioner Bonney closed the floor to Public Comment at 7:37p.m.
- G. Commissioner Bonney closed the Public Hearing at 7:37p.m.
- H. Commissioner Bonney asked if there was a motion to change from agricultural to Planned Development (PD) on approximately 4.104 acre strip of land, generally located East of SH 205 and South of SH 78, part of a 24.73 acre tract of land located in the W.A.S. Bohannon Survey, Abstract No. 121, out of Lot 1, Lavon Business Park II, and addition to the City of Lavon, Collin County, Texas



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Motion: Commissioner Rankin motioned to approve proposed changes.

Second: Commissioner Rosenquist

In Favor: Commissioners Meeks, Rankin, Bonney and Rosenquist.

Opposed: None

Motion: Carries

XII. COMMISSIONER BONNEY ADJORNED THE PLANNING & ZONING COMMISSION MEETING AT 7:38 p.m.

CITY COUNCIL RECONVENED INTO REGULAR SESSION AT 7:38 p.m.

XIII. MAYOR TESKE OPENED THE PUBLIC HEARING

Public Hearings to receive Public Comment on the following issues: (Teske)

- A. Public hearing to consider an ordinance on proposed zoning changes of certain property from agricultural to Planned Development (PD) for existing and future structures for retail, restaurant, office, warehouse, industrial, technological, and commercial uses, by the City of Lavon Texas: an approximate 4.617 acre strip of land, generally located East of SH 205 and South of SH 78, out of Lot 1, Lavon Business Park II, and addition to the City of Lavon, Collin County, Texas.
- B. Mayor Teske opened the floor to Public Comment at 7:40 p.m.
There was no Public Comment.
- C. Mayor Teske closed the floor to Public Comment at 7:40 p.m.
- D. Public hearing to consider an ordinance on proposed zoning changes of certain property from agricultural to Planned Development (PD) for existing and future structures for retail, restaurant, office, warehouse, industrial, technological, and commercial uses, by the City of Lavon Texas: an approximate 4.104 acre, generally located East of SH 205 and South of SH 78, part of a 24.73 acre tract of land located in the W.A.S. Bohannon Survey, Abstract No. 121, Collin, County, Texas.
- E. Mayor Teske opened the floor to Public Comment at 7:41 p.m.
City Secretary Wess gave the letter to the City Council from Mr. McGaughey that was in favor of the rezoning. Brenda McDonald relayed that notifications were sent to the property owners within 200 feet of the properties to be rezoned and this letter was in response to that notification. Mayor Teske stated the City received one response and it was in favor of the rezoning.
- F. Mayor Teske closed the floor to Public Comment at 7:42 p.m.
- G. Mayor Teske closed the Public Hearing at 7:42 p.m.



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XIV. CONSIDERATION AND ACTION

A. City Council to Consider and Act on adopting Ordinance No. 2013-12-13 amending its Comprehensive zoning ordinance by establishing Planned Development District No. 2 (Kane)

Mayor Pro-Tem Kane stated Planning & Zoning offered this item up for approval and he recommends the City Council approve the Ordinance.

Motion: Council Member Stroop made a motion to adopt Ordinance No. 2013-12-13.

Second: Council Member Calderon

In Favor: Mayor Pro-Tem Kane, Council Member Calderon, Stroop and Childers

Opposed: None

Motion: Carries

B. City Council to Consider and Act on adopting Ordinance No. 2013-12-14 amending its Comprehensive zoning ordinance by establishing Planned Development District No. 3. (Kane)

Mayor Pro-Tem Kane relayed Planning and Zoning recommended passing this Ordinance and the City Council should adopt the item.

Motion: Council Member Stroop made a motion to adopt Ordinance No. 2013-12-14.

Second: Council Member Calderon

In Favor: Mayor Pro-Tem Kane, Council Member Calderon, Stroop and Childers

Opposed: None

Motion: Carries

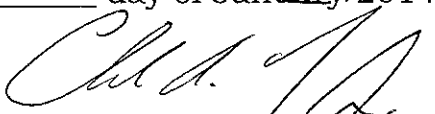
XV. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS

Mayor Teske relayed the Consent Agenda items will be tabled. Mayor Pro-Tem Kane stated he would like the tabled items from the Consent Agenda to be moved to the Consider and Act for the next meeting.

XVI. PRESIDING OFFICER TO ADJOURN THE CITY COUNCIL MEETING

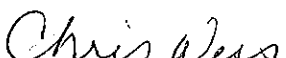
Mayor Teske adjourned the meeting at 7:45 p.m.

Duly passed and approved on this 4th day of February 2014.



Mayor Chuck Teske

Attest:



Chris Wess, City Secretary