



**Lavon City Council Meeting
Minutes
June 03, 2014**

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

Members Present: Mayor Chuck Teske
Council Member Place 2, Jorge Calderon
Council Member Place 3, Melissa Stroop
Council Member Place 4, Matt Childers
Council Member Place 5, Jenny Bodwell (arrived at 7:59pm)

Members Absent: Council Member Place 1, Chris Kane, Mayor Pro-Tem

Staff Present: City Secretary Chris Wess
Public Works Director Terry McCalpin
Police Chief Mike Jones
Public Works Employee Sonny Mancias

Legal Representative: None

Commission and Board Members: None

Visitors: 22

There was a quorum present.

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

III. INVOCATION

Police Chief Mike Jones gave the invocation.

IV. CITIZENS COMMENTS

David Hawkins stated that he was concerned about when Collin County will start on street repair projects. Mayor Teske informed him that there would be an update at next City Council meeting.

V. ITEMS OF INTEREST/CITY COUNCIL COMMUNICATIONS

Mayor Teske reminded the Council Members that Community High School Seniors will be graduating this week and to be sure to congratulate them. Public Works Director Terry McCalpin introduced Sonny Mancias as the new Public Works Operator. Mr. Mancias came from City of Rockwall and has a lot of road construction experience as well as Public Works knowledge.



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VI. CONSIDERATION AND ACTION

A. City Council to consider and act on approving Resolution No 2014-06-01 a resolution requesting the Lavon Special Utility District remove the locks from the fire hydrants. (Teske)

Mayor Teske informed the Council that this Resolution is a nice way of asking the Water Company to remove the locks. He feels that there is no reason why our town, our citizens, our firefighters and our emergency services personnel should be burdened by these devices, especially when surrounding towns and cities do not have to deal with them. Council Member Stroop asked how recent have locks been on the hydrants and she was informed that it has been three years and it was due to theft of water. Chief Jones said that the only theft was from 2007. Council Member Stroop stated that her biggest concern is the fact that the City of Lavon has a Volunteer Fire Department and it takes time to get to a fire and doesn't see the point in having a lock. Chief Jones also stated that a thief could cut the lock as well. Amy Cortez, representative for the Volunteer Fire Department, addressed the Council and explained the difficulty with these locks for them. She stated that they are volunteers, with limited staffing, they drive from their homes and every second counts. She also explained that neighboring fire departments that supply support are not aware of the locks.

Motion: Council Member Melissa Stroop made motion to approve Resolution No. 2014-06-01 a resolution requesting the Lavon Special Utility District remove the locks from the fire hydrants.

Second: Council Member Jenny Bodwell

In Favor: Council Member Calderon, Stroop, Childers and Bodwell

Opposed: None

Abstained: None

Motion: Carries

B. City Council to consider and act on selecting a Waste Management & Disposal provider for the City. (McCalpin)

Waste Disposal Representatives gave proposals. CWD Representative Greg Roemer spoke about CWD's 30 years of experience in the DFW area. He stated that they employ 250 people with 225 operating vehicles. He informed the Council that safety is their first priority and they hold the lowest violation rate in the DFW area with the Department of Transportation. He stated that pick up will be Thursdays for both trash and recycle. He also discussed several options for Spring Clean-Up Event. Rick Burnis of Republic Services addressed the Council, informed them that Republic is based out of Plano, they have corporate backing out of Phoenix, but employ local manpower. Republic has been operating in Rockwall for 20 years. They offer a scholarship program for a graduating senior from the City of Lavon. He explained that pick up will be Wednesdays for trash and Thursdays for recycle. Progressive representative Dick Damien spoke to the Council, stated that Progressive has been servicing the City of Lavon since 2000. They started with



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approximately 200 homes and have since increased fivefold, but he feels like Progressive adjusted and fixed any problems as soon as they possibly could. He also stated that he felt like Progressive would supply the City of Lavon with a seamless transition. He explained that their Corporate Office is out of Canada with local offices in Frisco and Greenville that service the DFW area. He stated that they have call centers and local numbers to use as point of contact. He also informed Council Members that pick up days would not change.

Motion: Council Member Stroop made a motion to accept CWD as waste management and recycle disposal for the City of Lavon with option 1.

Second: Council Member Childers

In Favor: Council Members Calderon, Stroop and Childers

Opposed: None

Abstained: None

Motion: Carries

C. City Council to consider and act on approving renting 1000 sq. ft. of space at 112 Forder Ct. for up to \$650.00 per month. (Teske)

Mayor Teske explained that World Land Development has agreed to let us use their land that is adjacent to the building and has also given permission to for a fence at a later time to secure equipment. Chief Jones explained that there will not be a fence initially because there is no money in the budget for it. However, after the property is fenced, all equipment will be moved from City Hall. Council Member Stroop asked if the building meets the needs of Public Works and Terry McCalpin answered yes, with the extra land.

Motion: Council Member Stroop made motion to approve renting 1000 sq. ft. of space at 112 Forder Ct. for up to \$650.00 per month, which includes the right to use the strip of land from World Land Developers between Forder St. and NETEX right-of-way and running from Main St. to Bois d'Arc St., which is approximately 2.3 acres in size for municipal purposes for a period of three years.

Second: Council Member Bodwell

In Favor: Council Members Calderon, Stroop, Childers and Bodwell

Opposed: None

Abstained: None

Motion: Carries

D. City Council to consider and act on approving Ordinance № 2014-06-01 an ordinance prohibiting the possession, consumption, delivery or manufacture of synthetic cannabinoids. (Jones)

Chief Jones explained that new revisions were made after discussing the issue with a prosecutor. The Prosecutor explained to Chief Jones that they cannot prosecute unless it is specific to Schedule 2A. Chief Jones stated that under the City Ordinance, it is a Class C Misdemeanor and an officer cannot arrest, only



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write a citation, and then bring it to County Court. He also explained that synthetic cannabinoids can cause serious damage after only one use and he strongly encourages the Council to pass the ordinance.

Motion: Council Member Childers made motion to approve Item D on Consideration and Action

Second: Council Member Stroop

In Favor: Council Members Calderon, Stroop, Childers and Bodwell

Opposed: None

Abstained: None

Motion: Carries

E. City Council to consider and act on approving Ordinance № 2014-06-02 an ordinance prohibiting the possession or consumption of nicotine, nicotine derivative or simulated nicotine by minors and prohibiting the sale of the same to minors. (Jones)

Chief Jones explained that there is currently no law against selling to minors, or consumption or possession by minors. He stated that this city ordinance targets the selling more than the possession or consumption, due to not having a viable way to test the nicotine levels.

Motion: Council Member Stroop made motion to approve Item E on Consideration and Act

Second: Council Member Bodwell

In Favor: Council Members Calderon, Stroop, Childers and Bodwell

Opposed: None

Abstained: None

Motion: Carries

F. City Council to consider and act on approving Ordinance № 2014-06-03 an ordinance prohibiting the sorting taking or picking of trash placed out for collection. (Jones)

Chief Jones explained that there are people going into driveways to go through trash cans and bulk pick up piles. He stated that the Supreme Court has declared bulk piles and trash in trash cans as abandoned property and has no value, therefor you cannot file theft charges. Chief Jones explained that this Ordinance will prevent this and he felt that the Police Department is using valuable time making these calls.

Motion: Council Member Stroop made motion to approve Ordinance № 2014-06-03

Second: Council Member Calderon

In Favor: Council Members Calderon, Stroop, Childers and Bodwell

Opposed: None

Abstained: None



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Motion: Carries

G. City Council to consider and act on approving Ordinance № 2014-06-04 an ordinance setting the commercial sewer fees and procedures. (Wess)

City Secretary Chris Wess explained that this Ordinance will clarify to business owners the new commercial sewer fees that were adopted in the fee schedule. Council Member Stroop pointed out an error on Page 1, Section 2, commercial is misspelled. Council Member Stroop moved to correct spelling error and motion was seconded by Council Member Bodwell, All in Favor, Motion Carries.

Motion: Council Member Stroop made motion to approve Ordinance № 2014-06-04 with the spelling correction

Second: Council Member Bodwell

In Favor: Council Members Calderon, Stroop, Childers and Bodwell

Opposed: None

Abstained: None

Motion: Carries

H. City Council to consider and act on approving the rerate notice and benefit verification form from TML MultiState Intergovernmental Employee Benefits Pool. (Teske)

Mayor Teske explained that the rerate will take effect in January 2015 and does not impact this year's budget. The rerate will increase for the City, as well as employees.

Motion: Council member Bodwell made motion to approve Item H on Consideration and Action

Second: Council Member Calderon

In Favor: Council Members Calderon, Stroop, Childers and Bodwell

Opposed: None

Abstained: None

Motion: Carries

I. City Council to consider and act on approving the City's Facilities Rules, Regulations, Rates and Rental Terms and Conditions. (Wess)

Mayor Teske acknowledged that Secretary Wess and her staff have spent countless hours and effort on researching all information to assemble the City's Facility Rules, Regulations, Rates and Rental Terms and Conditions. Secretary Wess explained that she has tried to cover all bases to include our expectations. She also discussed that the rates are basically to cover cost. They did not want the citizens of Lavon feeling like they were being taken advantage of. Council Member Calderon requested to amend rates to allow Non-Resident City Employees to reserve facilities at the resident rate. Council Member Stroop suggested re-wording Page 1, Park Rules with the exception of mobility assistance vehicles.



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Motion: Council Member Stroop made a motion to amend the City's Facilities Rules, Regulations, Rates and Rental Terms and Conditions by adding exceptions under Park Rules to allow mobility assistance vehicles and Non-Resident City Employees can reserve at the Resident Rate.

Second: Council Member Calderon, All in Favor, Motion Carries.

In Favor: Council Members Calderon, Stroop, Childers and Bodwell

Opposed: None

Abstained: None

Motion: Carries

Motion: Council Member Bodwell made a motion to approve Item I on the Consideration and Action as amended.

Second: Council Member Stroop

In Favor: Council Members Calderon, Stroop, Childers and Bodwell

Opposed: None

Abstained: None

Motion: Carries

VII. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS

Council Member Bodwell asked Public Works Director Terry McCalpin to discuss a possible Farmers Market. Council Member Stroop reminded Terry that David Hawkins had asked for an update regarding street repairs.

VIII. PRESIDING OFFICER TO ADJOURN THE CITY COUNCIL MEETING

Mayor Teske adjourned the meeting at 8:50 p.m.

Duly passed and approved on this 1st day of July, 2014.

Mayor Chuck Teske

Attest:

Chris Wess
Chris Wess, City Secretary