



Minutes
June 20, 2017
City of Lavon City Council
Lavon City Hall, 120 School Rd., Lavon, TX
Regular Meeting-Public Hearing
Work Session-Executive Session

ATTENDING: CHUCK TESKE, MAYOR
VICKI SANSON, PLACE 1
KAY WRIGHT, PLACE 3
MATT CHILDERS, MAYOR PRO TEM, PLACE 4

ABSENT: DONNIE SPRADLIN, PLACE 2
MINDI SERKLAND, PLACE 5

1. **MAYOR TESKE CALLED THE MEETING TO ORDER AT 7:02 P.M. AND ANNOUNCED A QUORUM PRESENT.**
2. **MAYOR TESKE LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND DELIVERED THE INVOCATION.**

3. **CITIZENS COMMENTS**

There were none.

4. **ITEMS OF INTEREST/CITY COUNCIL COMMUNICATIONS**

- July 4 – Pancake Breakfast at Rest Area on Hwy 78 in front of the Lakeview Cemetery. Mayor Teske informed the council that Charlie Allen has secured an authentic cannon to be at the event.
- July 11 – CAMP “9-1-1” – Half day camp for incoming 3rd - 5th graders on emergency preparedness.

5. **PRESENTATION**

A. Mayor Teske presented Corporal Rodney Sneed with a plaque of appreciation for his service to the citizens of Lavon.

6. **CONSENT AGENDA**

- A. **Approve the Minutes of the May 16, 2017 Meeting.**
- B. **Approve the Minutes of the May 23, 2017 Meeting.**
- C. **Accept the Heritage Public Improvement District #1 Assessment Report Summary dated 05/31/2017 and authorize the payment of invoices included therein.**

MOTION: APPROVE THE CONSENT AGENDA, AS PRESENTED.

MOTION MADE: WRIGHT

SECONDED: SANSON

APPROVED: UNANIMOUS

Absent: SPRADLIN, SERKLAND

7. **STAFF REPORTS**

- A. **Police Department.** Police Chief Mike Jones provided a report regarding: 1) Police Department statistics May 2016 through May 2017 and 2) staffing updates: Officer Thomas Aaron has been

promoted to Sergeant and Officer Carissa Vargas- Flournoy will be working with the crime prevention program.

- B. Fire Department.** Chief Jones provided a report for Jon Scott regarding: 1) all fire apparatus recently passed inspection, 2) department participation in the Extreme Green Event and 3) the NVFD response to a recent fatality accident on SH 205; Chief Jones commended Scott for taking command of the accident scene to secure the safety of motorists and responders and he also commended the firefighters for their professionalism.
- C. Public Works Department.** Director of Public Works Sonny Mancias provided a report regarding: 1) general public works and street maintenance including mowing and trash collection, 2) the completion of epoxy coating of scheduled manholes, 3) anticipated presentation of a storm drainage mapping project to council by the July 18th meeting, 4) Extreme Green event recap and 5) staff update.
- D. Administration.** Ms. Dobbs provided a report regarding: 1) Financial Outlook, 2) Building Permits Report and 3) Recycling Services summary, 4) Monthly Tax Collection Report, 5) Sales tax report and article, and 6) Transportation Presentation.

8. ITEMS FOR CONSIDERATION

- A. Discussion and action regarding Ordinance No. 2017-06-01 annexing the hereinafter described territory consisting of 75.249 acres of land in the Drury Anglin Survey A-002, generally located on the east side of CR 484 south of Traditions at Grand Heritage West, in Collin County, Texas and approximately 1.0 acre of land consisting of the portion of Collin County Road 484 that abuts the property previously described and the right-of-way adjacent thereto 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.**

MOTION: APPROVE ORDINANCE NO. 2017-06-01 ANNEXING THE HEREINAFTER DESCRIBED TERRITORY CONSISTING OF 75.249 ACRES OF LAND IN THE DRURY ANGLIN SURVEY A-002, GENERALLY LOCATED ON THE EAST SIDE OF CR 484 SOUTH OF TRADITIONS AT GRAND HERITAGE WEST, IN COLLIN COUNTY, TEXAS AND APPROXIMATELY 1.0 ACRE OF LAND CONSISTING OF THE PORTION OF COLLIN COUNTY ROAD 484 THAT ABUTS THE PROPERTY PREVIOUSLY DESCRIBED AND THE RIGHT-OF-WAY ADJACENT THERETO 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.

MOTION MADE: CHILDERS
SECONDED: WRIGHT
APPROVED: UNANIMOUS
Absent: SPRADLIN, SERKLAND

- B. Discussion and action regarding Ordinance No. 2017-06-02 annexing the hereinafter described territory consisting of 5.1 acres of land in the Drury Anglin Survey A-002 adjacent to and south of Main Street/McClendon Rd., adjacent to and west of 501A and 501B Lincoln Ave. in Collin County, Texas (Collin County CAD ID# 1250005) 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.**

MOTION: APPROVE ORDINANCE NO. 2017-06-02 ANNEXING THE HEREINAFTER DESCRIBED TERRITORY CONSISTING OF 5.1 ACRES OF LAND IN THE DRURY ANGLIN SURVEY A-002 ADJACENT TO AND SOUTH OF MAIN STREET/MCCLENDON RD., ADJACENT TO AND WEST OF 501A AND 501B LINCOLN AVE. IN COLLIN COUNTY, TEXAS (COLLIN COUNTY CAD ID# 1250005) 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.

MOTION MADE: SANSON
SECONDED: WRIGHT
APPROVED: UNANIMOUS
Absent: SPRADLIN, SERKLAND

- C. Discussion and action regarding Resolution No. 2017-06-01 granting a petition of the owner of certain property to annex 41.8 acres in the Drury Anglin Survey, Abstract No. 2 adjacent to the eastern boundary of the City abutting FM 2755 and County Road 483 into the City of Lavon, proposing the annexation of the adjacent FM road and county road and right-of-way, finding of public interest for an annexation that surrounds an area, setting dates, times and places for public hearings regarding the proposed annexation, and authorizing and directing the publication of notice of such public hearings.**

Ms. Dobbs presented information about the petition and pointed out that according to the annexation calendar included in the packet a special meeting would be required during the week of August 21 so that the public hearings could be conducted at regular meeting dates and the institution of proceedings could comply with the state law providing for annexation timelines.

MOTION: APPROVE RESOLUTION NO. 2017-06-01 GRANTING A PETITION OF THE OWNER OF CERTAIN PROPERTY TO ANNEX 41.8 ACRES IN THE DRURY ANGLIN SURVEY, ABSTRACT NO. 2 ADJACENT TO THE EASTERN BOUNDARY OF THE CITY ABUTTING FM 2755 AND COUNTY ROAD 483 INTO THE CITY OF LAVON, PROPOSING THE ANNEXATION OF THE ADJACENT FM ROAD AND COUNTY ROAD AND RIGHT-OF-WAY, FINDING OF PUBLIC INTEREST FOR AN ANNEXATION THAT SURROUNDS AN AREA, SETTING DATES, TIMES AND PLACES FOR PUBLIC

HEARINGS REGARDING THE PROPOSED ANNEXATION, AND AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS.

MOTION MADE: WRIGHT
SECONDED: SANSON
APPROVED: UNANIMOUS
Absent: SPRADLIN, SERKLAND

- D. Discussion and action regarding Resolution No. 2017-06-02 authorizing an amendment to the contract with Community Waste Disposal (CWD) for the collection, hauling and disposal of municipal solid waste to approve a market adjustment to rates charged; providing an effective date.**

MOTION: APPROVE RESOLUTION NO. 2017-06-02 AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH COMMUNITY WASTE DISPOSAL (CWD) FOR THE COLLECTION, HAULING AND DISPOSAL OF MUNICIPAL SOLID WASTE TO APPROVE A MARKET ADJUSTMENT TO RATES CHARGED; PROVIDING AN EFFECTIVE DATE.

MOTION MADE: WRIGHT
SECONDED: CHILDERS
APPROVED: UNANIMOUS
Absent: SPRADLIN, SERKLAND

- E. Discussion and action regarding acceptance of Geren Drive, Phase 1.**

MOTION: ACCEPT THE GEREN DRIVE PHASE 1 PUBLIC INFRASTRUCTURE ROAD IMPROVEMENTS.

MOTION MADE: CHILDERS
SECONDED: SANSON
APPROVED: UNANIMOUS
Absent: SPRADLIN, SERKLAND

- F. Discussion and action regarding Resolution No. 2017-06-03 authorizing the Mayor to implement employee group health insurance, dental and vision insurance programs.**

MOTION: APPROVE RESOLUTION NO. 2017-06-03 AUTHORIZING THE MAYOR TO IMPLEMENT EMPLOYEE GROUP HEALTH INSURANCE, DENTAL AND VISION INSURANCE PROGRAMS.

MOTION MADE: SANSON
SECONDED: WRIGHT
APPROVED: UNANIMOUS
Absent: SPRADLIN, SERKLAND

- G. Discussion and action regarding board and commission appointments – Lavon Economic Development Corporation Board of Directors and Planning & Zoning Commission.**

MOTION: APPROVE THE REAPPOINTMENT OF BRAD TIEGS – PLACE 1, CYNTHIA COKER – PLACE 3, DAVID ROSENQUIST – PLACE 5 AND VICKI SANSON – COUNCIL LIAISON TO THE PLANNING AND ZONING COMMISSION FOR TERMS TO EXPIRE JUNE 30, 2019 RESPECTIVELY.

MOTION MADE: TESKE
SECONDED: CHILDERS
APPROVED: UNANIMOUS
Absent: SPRADLIN, SERKLAND

9. ZONING CASE - PUBLIC HEARING

PUBLIC HEARING to consider and take action regarding the application of Tom Moon, applicant, for a zoning change from Agricultural (A) zoning district to Planned Development (PD) for residential uses consisting of 274 lots on 75.249 acres of land situated in the Drury Anglin Survey, A-2, (CCAD parcel ID #s 2117877 and 2087761) east of and in the vicinity of the 10700 block of CR 484, Lavon, Collin County, TX, such property referenced as Crestridge Meadows.

A. Presentation of request.

Craig Renfro, Rockwall Retail Investors, LLC presented the zoning application and provided details about the proposed Planned Development (PD) residential subdivision. Mr. Renfro provided information pertaining to the proposed density, lot size and area requirements, architectural guidelines, floodplain and subdivision ingress/egress. Mr. Renfro pointed out the trail proposed along the northern boundary of the property that will be constructed by the developer. Mr. Renfro explained that the development is anticipated to be constructed in two phases and that the developer will likely request an amendment to request additional lots that will make possible the additional off-site trail improvements to connect to the NeSmith Elementary School site.

B. PUBLIC HEARING to receive comments regarding the request.

Mayor Teske opened the public hearing at 7:48 p.m. and invited comments in favor of the proposed application and zoning change. There were no comments offered. Mayor Teske invited comments in opposition to the request. There being no comments, Mayor Teske closed the public hearing at 7:48 p.m.

C. Discussion and action regarding the request.

Ms. Dobbs reported that notice of the public hearing had been published in the newspaper and placed on the City website, signs were placed at the property regarding the zoning change request and that eleven notices had been mailed to the owners of property within 200 feet of the subject property. No notices were returned in favor of or in opposition to the request. Ms. Dobbs introduced Planning & Zoning Commission Chairman David Rosenquist who informed the Council that the Commission voted unanimously to recommend approval of the application with three provisions. Ms. Dobbs confirmed the provisions had been included in the proposed PD ordinance.

MOTION: APPROVE ORDINANCE NO. 2017-06-03 AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY ESTABLISHING A PLANNED DEVELOPMENT (PD) DISTRICT FOR RESIDENTIAL USES ON A 75.249 ACRE TRACT OF LAND DESCRIBED HEREIN AND LOCATED GENERALLY AT EAST OF AND IN THE VICINITY OF THE 10700 BLOCK OF CR 484, LAVON, COLLIN COUNTY, TX; AMENDING THE OFFICIAL ZONING MAP; PROVIDING A PENALTY OF \$2,000 PER DAY; PROVIDING SEVERABILITY, SAVINGS, AND CUMULATIVE/ REPEALER CLAUSES; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

MOTION MADE: WRIGHT
SECONDED: CHILDERS
APPROVED: UNANIMOUS
Absent: SPRADLIN, SERKLAND

10. WORK SESSION – BUDGET

Discussion of the current budget for Fiscal Year (FY) 2016-17, financial status update, budget calendar and proposed budget for FY 2017-18.

Mayor Teske announced that the work session would be deferred until after the Executive Session.

11. EXECUTIVE SESSION

At 7:54 p.m., Mayor Teske recessed the meeting to go into Executive Session (closed meeting) to discuss the following:

- A. §551.087: To discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City of Lavon and with which the City is conducting economic development negotiations; and/or to deliberate the offer of a financial or other incentive to the business prospect.
- B. §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:
 - Discussion concerning an Economic Development Agreement with Bloomfield Homes, L.P.
 - Discussion concerning a Donation Agreement with Bloomfield Homes, L.P.

12. RECONVENE INTO REGULAR SESSION

In accordance with Texas Government Code, Section 551.001, Mayor Teske reconvened the meeting at 8:27 p.m. and advised that no action was taken in executive session.

A. Discussion and action regarding Resolution No. 2017-06-04 authorizing an Economic Development Agreement with Bloomfield Homes, L.P.

A draft Economic Development Agreement was presented to the City Council. The consensus of the Council was to change the proposed deadline of the initial payment installment from 45 days to 60 days of acceptance of the public infrastructure.

MOTION: APPROVE RESOLUTION NO. 2017-06-04 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LAVON, TEXAS AND BLOOMFIELD HOMES, L.P.; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION MADE: WRIGHT
SECONDED: CHILDERS
APPROVED: UNANIMOUS
Absent: SPRADLIN, SERKLAND

B. Discussion and action regarding Resolution No. 2017-06-05 accepting a donation of materials and in-kind services from Bloomfield Homes, L.P. and authorizing the Mayor to execute a Donation Agreement with Bloomfield Homes, LP

A draft Donation Agreement was presented to the City Council regarding the construction and donation of an expansion to the Fire Department facility.

MOTION: APPROVE RESOLUTION NO. 2017-06-05 ACCEPTING THE DONATION OF MATERIALS AND IN-KIND SERVICES FROM BLOOMFIELD HOMES, L.P.; AUTHORIZING THE MAYOR TO EXECUTE A DONATION AGREEMENT AND ANY AND ALL DOCUMENTS NECESSARY TO TRANSFER OWNERSHIP; AND PROVIDING AN EFFECTIVE DATE.

MOTION MADE: WRIGHT
SECONDED: SANSON
APPROVED: UNANIMOUS
Absent: SPRADLIN, SERKLAND

10. WORK SESSION – BUDGET

Discussion of the current budget for Fiscal Year (FY) 2016-17, financial status update, budget calendar and proposed budget for FY 2017-18.

Mayor Teske opened the work session and provided a recap of the process of review and consideration of the annual budget. Ms. Dobbs confirmed the budget assumption with the Council that there would not be a tax rate increase from the current rate of \$0.4557 per hundred dollars valuation in the proposed budget. Ms. Dobbs noted that the department directors had been revising the budget projections for FY 16-17 to track the Financial Outlook and working on the FY 17-18 budget submittals assuming same-level services. Mayor Teske noted that the City of Lavon tax rate is among the lowest in Collin County for cities who have paid police departments. Mayor Teske explained that in the coming months, the City Council would conduct work sessions, open to the public, where the FY 17-18 budget would be shaped. Ms. Dobbs encouraged the City Council to review the information provided and contact the staff with any questions or suggestions.

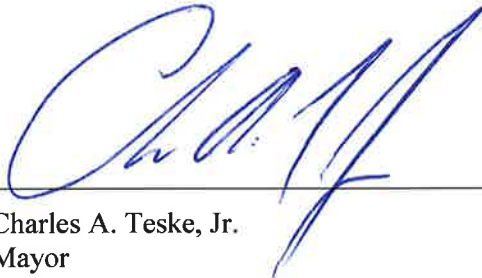
The consensus of the Council was to start the next budget work session at 6:00 p.m. prior to the regularly scheduled Council meeting that normally begins at 7:00 p.m.

11. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS

- The regular meeting on July 4th will be cancelled.
- The next regular meeting set for July 18th will begin at 6:00 p.m.

12. MAYOR TESKE ADJOURNED THE CITY COUNCIL MEETING AT 8:50 PM.

DULY PASSED and APPROVED by the City Council of the City of Lavon, Texas, on the 18th day of July, 2017.



Charles A. Teske, Jr.
Mayor

ATTEST:



Kim Dobbs
City Administrator | City Secretary

