



Minutes  
August 15, 2017  
City of Lavon City Council  
Lavon City Hall, 120 School Rd., Lavon, TX  
Regular Meeting - Public Hearing - Work Session  
7:00 P.M.

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ATTENDING: VICKI SANSON, PLACE 1  
DONNIE SPRADLIN, PLACE 2  
KAY WRIGHT, PLACE 3  
MATT CHILDERS, MAYOR PRO TEM, PLACE 4, PRESIDING  
MINDI SERKLAND, PLACE 5

ABSENT: CHUCK TESKE, MAYOR

1. **MAYOR PRO TEM CHILDERS CALLED THE MEETING TO ORDER AT 7:00 P.M. AND ANNOUNCED A QUORUM PRESENT.**
2. **MAYOR PRO TEM CHILDERS LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND CHIEF MIKE JONES DELIVERED THE INVOCATION.**

3. **CITIZENS COMMENTS**

Stormy Howland, 725 Crockett Dr., asked if the Grand Heritage Traditions and Traditions West subdivisions would be paying PID assessments. City Administrator Kim Dobbs offered to contact Ms. Howland regarding her question.

4. **ITEMS OF INTEREST/COMMUNICATIONS**

Ms. Dobbs informed the Council of the start of school on August 21<sup>st</sup> and of the date of the Fall Festival on October 21, 2017.

5. **CONSENT AGENDA**

- A. **Approve the Minutes of the August 1, 2017 Meeting.**
- B. **Accept the Heritage Public Improvement District #1 Assessment Report Summary dated 7/31/2017 and authorize the payment of invoices included therein.**

**MOTION: APPROVE THE CONSENT AGENDA.**

**MOTION MADE:** WRIGHT

**SECONDED:** SERKLAND

**APPROVED:** UNANIMOUS

Absent: TESKE

6. **PUBLIC HEARING - ZONING CASE**

**Conduct a public hearing, consider and take action regarding the application of Pat Atkins, applicant, for a zoning change from Agricultural (A) zoning district to Planned Development (PD) for residential uses consisting of 156 lots on 38.36 acres of land situated in the Drury Anglin Survey, Abstract No. 2, (Collin County CAD ID #s 2653997, 2087762 and 2507840), generally located southwest of the intersection of FM 2755 and CR 483, Lavon, Collin County, TX, such property referenced as Lavon Farms.**

#### **A. Presentation of request.**

Pat Atkins, Saddle Star Development, presented the application for the zoning change from Agricultural to Planned Development. Mr. Atkins noted that the original request included a 3 ½ acre commercial parcel that has been removed from the application and that the request is comprised of single-family residential lots. Mr. Atkins noted that the price point for the new homes is about \$250,000 with a typical lot size of 50'X110' and he estimated build out of \$40,000,000 in ad valorem tax value. Mr. Atkins presented a concept plan and landscape plan that indicate trails and landscape on the north and west side of the property. Mr. Atkins offered that there will be a homeowners' association (HOA) responsible for enforcing fence, trail, open space and landscape maintenance.

Mr. Spradlin inquired about the builders. Mr. Atkins explained that he anticipates two to three builders such as Altura, Gehan and Meritage with up to fifteen different home styles. Ms. Dobbs noted that a non-monotony provision would be required in any Planned Development regulations. Ms. Serkland asked if the applicant would consider developing half-acre lots instead and he replied that his experience is that is not the demand requested and that such development decisions are generally market-driven. Ms. Sanson pointed out several homes on CR 483 that will abut up to eight lots each. Ms. Wright confirmed that the concept plan anticipates the planned widening of FM 2755.

#### **B. PUBLIC HEARING to receive comments regarding the request.**

At 7:24 p.m., Mayor Pro Tem Childers opened the public hearing and invited comments for or against the application. The following people offered comments:

- Paul Tallant, 9687 CR 483, expressed concerns about density, increased traffic, a preference for larger lots and higher value homes and the ability of the HOA to enforce fence requirements.
- David Foy, 9721 Sunset Dr., inquired about the screening along FM 2755, the creek on the west side of the property, sanitary sewer and water and timing for the development. Mr. Atkins advised that along FM 2755, there is a proposed a 20' landscape area that contains berms, a trail, ornamental iron fencing with masonry columns, trees and shrubs; the creek will be studied in conjunction with the engineering to ensure no adverse impact up or down stream as required by the City, that the project will be on sanitary sewer and obtain water from Bear Creek SUD and that if all approvals are obtained, they could begin dirt work in six months. Mr. Foy subsequently asked about the time to build out and Mr. Atkins responded approximately 4 years.
- Stormy Howland, 725 Crockett Dr., asked if there would be a community pool or amenity center and inquired about aesthetics along FM 2755 and CR 483. Mr. Atkins described the landscape area along FM 2755 where the main entrance would be and stated that there will be a trail and open space but no pool or amenity center included in the Concept and that a builder may choose to do that in the future.
- Jamie Nelson, 9676 Sunset Dr., asked if the backyards would be large enough for a swimming pool and Mr. Atkins replied that it would.
- Cole McClendon, 325 McClendon St., expressed concern regarding traffic along FM 2755.
- Jonathon Green, 9939 CR 483, stated concerns regarding certain builders and the quality of the construction and traffic.
- Kelly Burns, 348 McClendon St., expressed concerns regarding masonry requirements, traffic on CR 483, lot size and the potential for the homes becoming rental properties.
- Terri McClendon, 325 McClendon St., expressed a preference for the rural atmosphere and larger lots and noted they have animals on their property and voiced concern for the impact increased population might have in that regard.

There being no further questions or comments for or in opposition to the request, Mayor Pro Tem Childers closed the public hearing at 7:50 p.m.

### C. Discussion and action regarding the request.

Ms. Dobbs stated that seventeen notices had been mailed to neighboring owners pursuant to state law and that three were returned in opposition to the request. Ms. Dobbs explained the procedural requirements for the annexation of the property required to precede a vote on zoning and that a special meeting is set for August 24, 2017 for consideration of the annexation.

Ms. Sanson read a statement provided by Mayor Teske that expressed concern regarding the possible negative impact of construction on the road surface and drainage of CR 483, lot size, transition from Sharp Point and future maintenance of the property at the intersection of FM 2755 and CR 483. Mayor Teske recognized that if a special utility district or other district were able to provide sewer, the protections of the zoning process would not be relevant.

Ms. Sanson asked if the development layout satisfied public safety concerns. Chief Jones and Fire Marshal Scott stated yes. Ms. Dobbs explained that prior to presentation to the Planning & Zoning Commission or City Council, developers are required to meet with a staff development review committee to ensure minimum requirements, such as public safety access are adequate.

Mr. Atkins asked if he could table the action on the zoning until the next regular meeting of the Council in order to try to address the neighbors' and Council's concerns. Ms. Dobbs explained that the Council could consider the first reading of the annexation ordinance on August 24 and then take no action to complete the annexation and take no action on zoning until September 5. Mayor Pro Tem Childers confirmed that no discussion or action relating to zoning will be on the August 24 agenda.

## 7. STAFF REPORTS

- A. **Police Department.** Police Chief Mike Jones provided a report regarding: 1) Police Department statistics for July 2017, 2) the CISD Back to School Bash and first day of school and National Night Out set for October 3, 2017.
- B. **Fire Department.** Fire Marshal Scott provided a report regarding: 1) a recent disaster-response training exercise with the County Emergency Management Coordinator and other county responders and 2) an update on the full staffing level for the Emergency Response Staff (ERS) program, also known as the stipend program.
- 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 recent TxDOT meeting where it was projected that paving at the SH 78 and SH 205 intersection may be complete in September 2017, 3) the delivery of a CWD oil disposal container and the program enhancements for residents, 4) the Bently Farms road improvement program, with special recognition of Councilmember Spradlin for coordinating communication, 5) compliance with the Fire Marshal Inspection of the Public Works center, 6) code enforcement and 7) the installation of a new utility payment drop box at City Hall.
- D. **Administration.** Ms. Dobbs provided a report regarding: 1) Financial Outlook, 2) Building Permits Report and 3) Recycling Services summary and 4) Monthly Tax Collection Report.

## 8. ITEMS FOR CONSIDERATION

- A. Discussion and action regarding amending Resolution No. **2017-07-01** approved on July 18, 2017 approving and authorizing the Mayor to execute a Right-of-Way License Agreement with Mobilite LLC for a facility on Mustang Court.

**MOTION: AMMEND RESOLUTION NO. 2017-07-01 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-WAY LICENSE AGREEMENT WITH MOBILITE LLC FOR A FACILITY ON MUSTANG COURT.**

**MOTION MADE:** WRIGHT  
**SECONDED:** SPRADLIN  
**APPROVED:** UNANIMOUS  
Absent: TESKE

- B. Discussion and action regarding Resolution No. **2017-08-03** authorizing the Mayor to execute a contract with the Collin County Elections Administrator and Community Independent School District for Election Services related to the City's November 7, 2017 General Election.

**MOTION: APPROVE RESOLUTION NO. 2017-08-03 AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE COLLIN COUNTY ELECTION ADMINISTRATOR AND COMMUNITY INDEPENDENT SCHOOL DISTRICT FOR ELECTION SERVICES RELATED TO THE CITY'S NOVEMBER 7, 2017 GENERAL ELECTION.**

**MOTION MADE:** SERKLAND  
**SECONDED:** WRIGHT  
**APPROVED:** UNANIMOUS  
Absent: TESKE

- C. Discussion and action regarding Resolution No. **2017-08-04** appointing Bruce Sherbet, Collin County Elections Administrator as the Early Voting Clerk for the November 7, 2017 General Election.

**MOTION: APPROVE RESOLUTION NO. 2017-08-04, APPOINTING BRUCE SHERBET, COLLIN COUNTY ELECTIONS ADMINISTRATOR AS THE EARLY VOTING CLERK FOR THE NOVEMBER 7, 2017 GENERAL ELECTION.**

**MOTION MADE:** WRIGHT  
**SECONDED:** SERKLAND  
**APPROVED:** UNANIMOUS  
Absent: TESKE

- D. Discussion and action regarding Resolution No. **2017-08-05** authorizing the Mayor to execute an Interlocal Dispatch Services Agreement with Collin County for dispatch services for a one (1) year period from October 1, 2017 to September 30, 2018; and providing for an effective date.

**MOTION: APPROVE RESOLUTION NO. 2017-08-05 AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL DISPATCH SERVICES AGREEMENT WITH COLLIN COUNTY FOR DISPATCH SERVICES FOR A ONE (1) YEAR PERIOD FROM OCTOBER 1, 2017 TO SEPTEMBER 30, 2018**

**MOTION MADE:** WRIGHT  
**SECONDED:** SANSON  
**APPROVED:** UNANIMOUS  
Absent: TESKE

- E. Discussion and action regarding Resolution No. **2017-08-06** authorizing the Mayor to execute the forms necessary for the selection of an energy provider for City of Lavon facilities served by Oncor infrastructure.

**MOTION: APPROVE RESOLUTION NO. 2017-08-06 AUTHORIZING THE MAYOR TO EXECUTE THE FORMS NECESSARY FOR THE SELECTION OF AN ENERGY PROVIDER FOR CITY OF LAVON FACILITIES SERVED BY ONCOR INFRASTRUCTURE.**

**MOTION MADE:** SPRADLIN  
**SECONDED:** SERKLAND  
**APPROVED:** UNANIMOUS  
Absent: TESKE

Mayor Pro Tem Childers recessed the meeting at 8:41 p.m. and reconvened the meeting at 8:47 p.m.

#### **BUDGET WORK SESSION**

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

Ms. Dobbs reviewed the budget packet and proposed fees. The City Council and staff discussed projected service levels and enhancements to the budget. Ms. Dobbs advised that although not required by law, the

City Council will conduct a public hearing on the budget and fee schedule on September 5, 2017 to receive the public's input.

**9. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS**

The next meeting will be a special meeting on August 24, 2017 at 7:00 p.m.

Budget workshop to be held prior to the regular meeting on September 5, 2017 at 6:00 p.m.

**10. MAYOR PRO TEM CHILDERS ADJOURNED THE CITY COUNCIL MEETING AT 9:33 PM.**


**DULY PASSED and APPROVED** by the City Council of the City of Lavon, Texas, on this 5<sup>th</sup> day of September, 2017.



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Charles A. Teske, Jr.  
Mayor

**ATTEST:**



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Kim Dobbs  
City Administrator | City Secretary

