



Minutes
September 5, 2017
City of Lavon City Council
Lavon City Hall, 120 School Rd., Lavon, TX
Regular Meeting - Public Hearing - Work Session
6:00 P.M.

ATTENDING: VICKI SANSON, Place 1
KAY WRIGHT, Place 3
MINDI SERKLAND, Place 5
CHUCK TESKE, Mayor

ABSENT: DONNIE SPRADLIN, Place 2
MATT CHILDERS, Mayor Pro Tem, Place 4

1. **MAYOR TESKE CALLED THE MEETING TO ORDER AT 6:19 P.M. AND ANNOUNCED A QUORUM PRESENT.**
2. **MAYOR TESKE LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND DELIVERED THE INVOCATION.**
3. **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.

City Administrator Kim Dobbs reviewed the changes that were made to the Budget since the Council's last meeting, noting that the prior year tax rate of \$0.4557/100 is proposed to remain unchanged and the number of authorized staff will remain the same. Ms. Dobbs reviewed the proposed fee increases and the City Council directed that the city facility rental rates (community center, gym and park pavilion) be increased by \$5.00/hour. Mayor Teske suggested adjustments to the transfers and expenditures relating to street repairs, including the account for Geren Dr. Phase II reimbursement.

Mayor Teske recessed the work session at 6:33 p.m. for the Council to have website photographs made. The work session was reconvened and resumed at 6:48 p.m.

The departmental budget requests that had not been addressed were discussed. Requests that were approved for addition to the budget included: \$5800 remodel project at the Police Department to modify current office configuration and convert the holding cell to more useable space; \$5000 for furnishings for the Emergency Operations Center in the expansion of the Fire Station to be added in addition to the \$6000 previously included for dry air storage; and funding for a public works facility consisting of a metal building on a concrete foundation on city property and the relocation of a surplus equipment storage shelter donated by the Nevada Volunteer Fire Department. The staff was directed to research options for adding a restroom to the facility and to look into financing options. The estimated cost of the public works facility project is \$40,800 plus the restroom.

Mayor Teske adjourned the work session at 7:00 p.m. and called the regular meeting to order. At Ms. Dobbs' request, Mayor Teske allowed that item regarding the LOGIC investment pool be taken out of order.

4. **ITEMS FOR CONSIDERATION**

- E. **Discussion and action regarding Resolution No. 2017-09-01, approving and authorizing the Mayor to execute the Application for Participation in the Local Government Investment Cooperative (LOGIC) and approving signatories for the account(s) to provide an additional investment option emphasizing safety, liquidity and diversification of public funds.**

Ms. Dobbs reviewed the City's Investment Policy and the benefits of diversifying the options for the City's deposits that primarily consist of funds restricted for specific purposes. Ms. Dobbs provided information regarding LOGIC and introduced Micah Owens, Vice President, TexSTAR/LOGIC, FirstSouthwest, a division of Hilltop Securities. Ms. Owens provided information regarding investment pools in general, and specifically about TexSTAR and LOGIC, which are pools that are in compliance with the Texas Public Fund Investment Act and the City's Investment Policy, co-administered by FirstSouthwest, the City's financial advisor and JP Morgan Investment Management Inc. Ms. Owens presented information on the historic performance and distinctions of the pools. Ms. Owens further discussed the security of the investments, the liquidity of the assets and the ease with which a City can access the deposits.

Ms. Dobbs noted that the current rate provided by LOGIC of 1.28% is greater than what the City currently realizes on its deposits. The Mayor expressed appreciation for the long-standing relationship the City has enjoyed with Independent Bank, where the City's deposits are currently maintained. The Council directed the staff to further review the amount of deposits proposed for placement with an investment pool and bring the item back for consideration in October. No action was taken.

5. PRESENTATION OF CITY WEBSITE

William Whitney, Whitney Solutions, LLC introduced the team working on the website, Jacob Schorr and Monique Esquillo and provided a preview of the new website. Mr. Whitney demonstrated the features and pages of the new website. The City Council expressed support for the progress and commended the efforts. Mr. Whitney will provide a link to the demo-website to the staff to share with the Council to enable further review. Ms. Dobbs encouraged the Council to provide feedback, comments and suggestions. A launch date will be announced within the next 60 days.

6. CITIZENS COMMENTS

Stormy Howland, 725 Crockett Dr., requested information about the new Public Works facility; commented on the need for greater interjurisdictional support and mutual aid with cities like Rockwall, and inquired about the specifics of the Police Department renovation and where detainees will be held. Mayor Teske encouraged Ms. Howland to follow up with the staff regarding the matters indicated.

7. ITEMS OF INTEREST/COMMUNICATIONS

Ms. Dobbs informed the Council about National Night Out on October 3 and the Fall Festival on October 21. Ms. Wright informed the Council about the LEDC Small Business Saturday "Christmas Bazaar" on November 25, 2017 Noon-5 P.M. at City Hall.

8. CONSENT AGENDA

A. Approve the Minutes of the August 15, 2017 Meeting

B. Approve the Minutes of the August 24, 2017 Meeting

C. Reappoint David Rosenquist as chairman of the Planning & Zoning Commission and Chris Kane as chairman of the Reinvestment Zone #1 (TIF) Board of Directors.

MOTION: APPROVE THE CONSENT AGENDA.

MOTION MADE: SERKLAND

SECONDED: SANSON

APPROVED: UNANIMOUS

Absent: SPRADLIN, CHILDERS

9. PUBLIC HEARINGS

A. Conduct a public hearing to receive input regarding and discuss the Proposed Annual Budget and Fee Schedule for the Fiscal Year that begins October 1, 2017 and ends September 30, 2018 presentation of request.

Mayor Teske opened the public hearing at 7:42 p.m. and invited comments regarding the proposed budget, including proposed tax rate, and fee schedule that contains proposed increases in garbage and

sewer rates and in the facility rental rates. There being no comments, Mayor Teske closed the public hearing at 7:43 p.m.

- B. Conduct a public hearing to receive input regarding an Ordinance of the City of Lavon, Texas amending Ordinance No. 2002-01-03, Subdivision Ordinance, by adding additional requirements for adequate public facilities.**

At 7:43 p.m., Mayor Teske opened the public hearing and invited comments for or against the proposed amendment to the Subdivision Code relating to the provision of adequate facilities. No comments were offered and the Mayor closed the public hearing at 7:43 p.m.

10. ITEMS FOR CONSIDERATION

- A. Discussion and action regarding the second reading of Ordinance No. 2017-08-03 annexing the hereinafter described territory consisting of 41.8 acres of land in the Drury Anglin Survey A-002, (Collin County CAD ID #s 2653997, 2087762 and 2507840), generally located southwest of the intersection of FM 2755 and CR 483 and the portions of CR 483 and right-of-way that abut the property previously described 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 after two readings.**

MOTION: APPROVE THE SECOND READING OF ORDINANCE NO. 2017-08-03 ANNEXING THE HEREINAFTER DESCRIBED TERRITORY CONSISTING OF 41.8 ACRES OF LAND IN THE DRURY ANGLIN SURVEY A-002, (COLLIN COUNTY CAD ID #S 2653997, 2087762 AND 2507840), GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF FM 2755 AND CR 483 AND THE PORTIONS OF CR 483 AND RIGHT-OF-WAY THAT ABUT THE PROPERTY PREVIOUSLY DESCRIBED 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 AFTER TWO READINGS.

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

- B. Discussion and 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 152 lots on 38.62 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.**

Pat Atkins, 3076 Hays Lane, Rockwall provided information about the request and identified changes made to the proposed concept plan after the prior meeting including the reduction of four lots, the

addition of open area to minimize the impact of the new lots on properties directly adjacent to the development, the increase of the 5' sidewalk along FM 2755 to 8' and the commitment, that will be formalized in a Developers Agreement at platting, to put into escrow an amount per lot for future repair and improvement to CR 483 adjacent to the development. Mr. Atkins also advised that construction vehicles for infrastructure and homes will be directed to use the FM 2755 entrance only to minimize the impact on CR 483.

Mayor Teske acknowledged that there was a public hearing on August 15, 2017 to receive input on the request. Although the public hearing was closed, Mayor Teske offered to allow anyone present that wished to speak in regard to the request an opportunity to do so. Ms. Dobbs referred the Council to a letter copied at their places that Mike Box submitted earlier in the day. Mayor Teske asked if anyone wished to comment on the proposed zoning application and no comments were offered.

The Council discussed the application and concerns regarding public safety, access and density. Mayor Teske noted that a planning document prepared for the Bear Creek Special Utility District (BCSUD) shows the area in and surrounding the vicinity of the development to develop at ten units per acre in contrast to the proposed development density of just under four units per acre. Mayor Teske noted that if BCSUD were to control the provision of sewer to unincorporated areas, there would be no zoning on the properties and no resident input would be involved.

Mr. Box, in response to a direct question by Ms. Sanson, identified where his property is in relation to the proposed development and he relayed his concerns regarding traffic on CR 483 and security as he currently has a problem with criminal trespassing on his property. Chief Jones relayed information regarding police services that would be provided to the proposed development. Ms. Howland and Chief Jones commented on the Sherriff's Office coverage of the unincorporated areas surrounding the City and their response times.

MOTION: APPROVE THE APPLICATION OF PAT ATKINS, APPLICANT, FOR A ZONING CHANGE FROM AGRICULTURAL (A) ZONING DISTRICT TO PLANNED DEVELOPMENT (PD) FOR RESIDENTIAL USES CONSISTING OF 152 LOTS ON 38.62 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.

MOTION MADE: WRIGHT
SECONDED: SERKLAND
APPROVED: FOR: WRIGHT, SERKLAND
AGAINST: SANSON
Absent: SPRADLIN, CHILDERS

C. Discussion and action regarding Ordinance No. 2017-09-02 amending Ordinance No. 2002-01-03, Subdivision Ordinance, by adding additional requirements for adequate public facilities.

Ms. Dobbs provided information about the proposed amendment and how it will benefit the City.

MOTION: APPROVE ORDINANCE NO. 2017-09-02 AMENDING ORDINANCE NO. 2002-01-03, SUBDIVISION ORDINANCE, BY ADDING ADDITIONAL REQUIREMENTS FOR ADEQUATE PUBLIC FACILITIES.

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

D. Discussion and action regarding Ordinance No. 2017-09-03 an Ordinance of the City Council of the City of Lavon, Texas amending Ordinance No. 2002-01-02, "Right-Of-Way Management Ordinance" to add "Article IIIA", to be entitled "Use of Public Rights-Of-Way by Network Providers" adopting provisions regulating the physical use, occupancy and maintenance of city rights-of-way by wireless network providers in accordance with Chapter 284 of the Texas Local Government Code; describing the purpose; providing definitions; adopting and requiring

compliance with the City Design Manual and applicable codes for the installation of network nodes and node support poles pursuant to Chapter 284 of the Texas Local Government Code; providing city procedures for applications for permits; establishing time periods for approval of permit applications; amending the City's comprehensive fee schedule to adopt application fees and annual public right-of-way rental rates; providing restrictions on placement of network nodes and node support poles in municipal parks, residential areas, historic districts and design districts; providing indemnity for the city; providing requirements relative to removal, replacement, maintenance and repair; providing for installation and inspections; providing general provisions; providing repealing, savings and severability clauses; providing a penalty clause; providing for publication and an effective date.

Ms. Dobbs provided information from the City Attorney regarding the proposed regulations and design manual. Ms. Dobbs further noted that Cindy Tayem, Oncor had requested a change to Section III. (F.1.) pertaining to the attachment of nodes to existing electrical lines to remove "electrical" from the section and reference communication lines as Oncor will not allow anything to be attached to electrical lines. Ms. Dobbs recommended that the Council accept Ms. Tayem's suggested change.

MOTION: MAKE THE CHANGE TO SECTION III.F.1 REQUESTED BY ONCOR AND APPROVE ORDINANCE NO. 2017-09-03 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS AMENDING ORDINANCE NO. 2002-01-02, "RIGHT-OF-WAY MANAGEMENT ORDINANCE" TO ADD "ARTICLE IIIA", TO BE ENTITLED "USE OF PUBLIC RIGHTS-OF-WAY BY NETWORK PROVIDERS" ADOPTING PROVISIONS REGULATING THE PHYSICAL USE, OCCUPANCY AND MAINTENANCE OF CITY RIGHTS-OF-WAY BY WIRELESS NETWORK PROVIDERS IN ACCORDANCE WITH CHAPTER 284 OF THE TEXAS LOCAL GOVERNMENT CODE; DESCRIBING THE PURPOSE; PROVIDING DEFINITIONS; ADOPTING AND REQUIRING COMPLIANCE WITH THE CITY DESIGN MANUAL AND APPLICABLE CODES FOR THE INSTALLATION OF NETWORK NODES AND NODE SUPPORT POLES PURSUANT TO CHAPTER 284 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING CITY PROCEDURES FOR APPLICATIONS FOR PERMITS; ESTABLISHING TIME PERIODS FOR APPROVAL OF PERMIT APPLICATIONS; AMENDING THE CITY'S COMPREHENSIVE FEE SCHEDULE TO ADOPT APPLICATION FEES AND ANNUAL PUBLIC RIGHT-OF-WAY RENTAL RATES; PROVIDING RESTRICTIONS ON PLACEMENT OF NETWORK NODES AND NODE SUPPORT POLES IN MUNICIPAL PARKS, RESIDENTIAL AREAS, HISTORIC DISTRICTS AND DESIGN DISTRICTS; PROVIDING INDEMNITY FOR THE CITY; PROVIDING REQUIREMENTS RELATIVE TO REMOVAL, REPLACEMENT, MAINTENANCE AND REPAIR; PROVIDING FOR INSTALLATION AND INSPECTIONS; PROVIDING GENERAL PROVISIONS; PROVIDING REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

MOTION MADE: WRIGHT

SECONDED: SANSON

APPROVED: UNANIMOUS

Absent: SPRADLIN, CHILDERS

- E. Discussion and action regarding Resolution No. 2017-09-01, approving and authorizing the Mayor to execute the Application for Participation in the Local Government Investment Cooperative (LOGIC) and approving signatories for the account(s) to provide an additional investment option emphasizing safety, liquidity and diversification of public funds.

The item was discussed earlier in the meeting.

- F. Discussion and action regarding Resolution No. 2017-09-02, authorizing the Mayor to execute a Memorandum of Understanding with Community Independent School District regarding the provision of dispatch services assistance.

Ms. Dobbs provided information regarding the request from Community Independent School District (CISD) and asked Chief Jones to elaborate. Chief Jones introduced CISD Police Chief Scotty Morrison and explained how the City could assist CISD in this matter. The Mayor and Council expressed support for the program and for what Chief Morrison will be doing at CISD.

MOTION: APPROVE RESOLUTION NO. 2017-09-02, AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH COMMUNITY INDEPENDENT SCHOOL DISTRICT REGARDING THE PROVISION OF DISPATCH SERVICES ASSISTANCE.

MOTION MADE: WRIGHT

SECONDED: SERKLAND

APPROVED: UNANIMOUS

Absent: SPRADLIN, CHILDERS

- G. Discussion and action regarding Resolution No. 2017-09-03, authorizing the Mayor to execute an Interlocal Jail Services Agreement with Collin County for jail services for a one (1) year period from October 1, 2017 to September 30, 2018; and providing for an effective date.**

Ms. Dobbs advised that this is a renewal of the previous agreement and there is no increase in the fees proposed. Chief Jones explained that the County's jail is used by the City for Class C misdemeanors and higher.

MOTION: APPROVE RESOLUTION NO. 2017-09-03, AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL JAIL SERVICES AGREEMENT WITH COLLIN COUNTY FOR JAIL SERVICES FOR A ONE (1) YEAR PERIOD FROM OCTOBER 1, 2017 TO SEPTEMBER 30, 2018; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION MADE: SANSON

SECONDED: WRIGHT

APPROVED: UNANIMOUS

Absent: SPRADLIN, CHILDERS

- H. Discussion and action regarding Resolution No. 2017-09-04, authorizing the Mayor to execute an Interlocal Agreement for Animal Control and Animal Shelter Services with Collin County for a one (1) year period from October 1, 2017 to September 30, 2018; and providing for an effective date.**

Ms. Dobbs advised that this is a renewal of the previous agreement and there is no increase in the fees proposed. Ms. Serkland requested that regular reporting on services be provided to the Council.

MOTION: APPROVE RESOLUTION NO. 2017-09-04, AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT FOR ANIMAL CONTROL AND ANIMAL SHELTER SERVICES WITH COLLIN COUNTY FOR A ONE (1) YEAR PERIOD FROM OCTOBER 1, 2017 TO SEPTEMBER 30, 2018; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION MADE: WRIGHT

SECONDED: SERKLAND

APPROVED: UNANIMOUS

Absent: SPRADLIN, CHILDERS

- I. Discussion and action regarding Resolution No. 2017-09-05, authorizing the Mayor to execute a Developer's Agreement with Bloomfield Homes, L.P. related to the Traditions at Grand Heritage West Development; and providing for an effective date.**

Ms. Dobbs explained that the Planned Development zoning ordinance for Grand Heritage requires that when development occurs adjacent to CR 484 (also Geren Dr.) that the developer will install a 5' sidewalk. When the final plat for Traditions at Grand Heritage West was approved, the sidewalk was not included. Ms. Dobbs stated that because of the potential widening of CR 484 combined with the existing NTMWD easements adjacent to Traditions West, the developer asked that the sidewalk

requirement be waived. Rather than waive the requirement, the City staff proposed that the developer escrow the funds for future construction in conjunction with roadway improvements.

MOTION: APPROVE RESOLUTION NO. 2017-09-05, AUTHORIZING THE MAYOR TO EXECUTE A DEVELOPER'S AGREEMENT WITH BLOOMFIELD HOMES, L.P. RELATED TO THE TRADITIONS AT GRAND HERITAGE WEST DEVELOPMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION MADE: SERKLAND

SECONDED: SANSON

APPROVED: UNANIMOUS

Absent: SPRADLIN, CHILDERS

J. Discussion and action regarding Resolution No. 2017-09-06 submitting nominations for the Collin Central Appraisal District for the Board of Directors.

The City Council considered the request of the Collin County Appraisal District (CCAD) for nominees to the Board of Directors. The consensus was to take no action. Ms. Dobbs confirmed that the City will have two votes on the Board nominations regardless of whether or not the City submits nominations. No action was taken.

K. Discussion and action regarding Resolution No. 2017-09-07, authorizing the Mayor to execute an Interlocal Cooperation Agreement for Sharing Public Works Personnel between the City of Lavon and the City of Farmersville; and providing for an effective date.

MOTION: APPROVE RESOLUTION NO. 2017-09-07, AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT FOR SHARING PUBLIC WORKS PERSONNEL BETWEEN THE CITY OF LAVON AND THE CITY OF FARMERSVILLE; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION MADE: SERKLAND

SECONDED: SANSON

APPROVED: UNANIMOUS

Absent: SPRADLIN, CHILDERS

11. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS

The next meeting will be on September 19 at 7:00 p.m. and will include the Budget, Tax Rate and Fee Schedule.

12. MAYOR TESKE ADJOURNED THE CITY COUNCIL MEETING AT 8:28 PM.

DULY PASSED and APPROVED by the City Council of the City of Lavon, Texas, on this 19th day of September, 2017.



Charles A. Teske, Jr.
Mayor

ATTEST:



Kim Dobbs
City Administrator | City Secretary

