



Minutes  
November 7, 2017  
City of Lavon City Council  
Lavon City Hall, 120 School Rd., Lavon, TX  
Regular Meeting – Public Hearing  
7:00 P.M.

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ATTENDING: CHUCK TESKE, MAYOR  
VICKI SANSON, PLACE 1  
KAY WRIGHT, PLACE 3  
MATT CHILDERS, MAYOR PRO TEM, PLACE 4  
MINDI SERKLAND, PLACE 5  
MIKE COOK, PLACE 2, at 7:05 pm

1. **MAYOR TESKE CALLED THE MEETING TO ORDER AT 7:00 P.M. AND ANNOUNCED A QUORUM PRESENT.**
2. **MAYOR TESKE LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND DELIVERED THE INVOCATION.**
3. **ITEMS FOR CONSIDERATION-APPOINTMENT**

Mayor Teske explained that Place 2 Council Member Donnie Spradlin had recently moved from the city vacating Place 2 which term expires in November 2017. Candidate Mike Cook filed to run for Place 2, running unopposed in the November 7, 2017 General Election. The November 7 election results are scheduled to be canvassed on November 21, 2017.

**MOTION: APPOINT MIKE COOK TO THE UNEXPIRED TERM FOR PLACE 2 COUNCIL MEMBER.**

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

Mayor Teske administered the Oath of Office to Mr. Cook and Mr. Cook joined the City Council at their places at 7:05 p.m.

4. **CITIZENS COMMENTS**

- Becky Bernardi, 5211 CR 547, Nevada, TX, provided information regarding the organization Lavon Pro Corridor Freeway (LPCF) formerly known as Lake Lavon Pro Bridge, established in 2010. Ms. Bernardi shared accident information along SH 78 in and around Lavon.
- Josh Murray, 825 Fannin Dr., spoke regarding requests to transfer funds over a 30-45 day period submitted by city staff and approved by Mayor Teske. Mr. Murray expressed concern regarding the practice and requested increased oversight of the process.

5. **ITEMS OF INTEREST/COMMUNICATIONS**

- Ms. Wright informed the Council about the LEDC “Small Business Saturday” Christmas Bazaar set for the Saturday following Thanksgiving, November 25, 2017 from noon-5 pm at City Hall.
- Ms. Sanson advised that students from NeSmith and McClendon Elementary Schools participated in field trips to City Hall in October. Ms. Sanson delivered thank you cards that the NeSmith students had made.
- City Administrator Kim Dobbs stated the Christmas Tree Lighting is set for Saturday, December 2, 2017 at 6pm. where the middle school choir will perform and complimentary cocoa and cookies will be served.

## 6. PRESENTATION – NEVADA VOLUNTEER FIRE DEPARTMENT

Nevada Volunteer Fire Department (NVFD) Captain Eddie Stough presented information about the NVFD recent deployment to the Houston area to assist with hurricane relief and recovery efforts. Captain Stough explained that he and Captain Thad Anderson delivered NVFD apparatus and volunteered for five days assisting in the “All-hazard Emergency” call for service with other fire departments from across the state. Captain Stough described the work performed, schedules and assignments and advised that related photographs had been posted on the NVFD website. Mayor Teske thanks Captain Stough for the presentation and for the NVFD service to Lavon residents and to others in need.

## 7. WORK SESSION- TRANSPORTATION

Ms. Dobbs provided background information on a series of meetings that city staff have attended since February 2017 relating to recommendations for the Collin County Strategic Roadway Plan (CCSRP). Ms. Dobbs explained that the CCSR is a comprehensive plan to identify major transportation needs that could be incorporated into the Mobility 2045 Plan for future study by transportation partners and introduced Jeff Neal, Project Manager, North Central Texas Council of Governments. Mr. Neal provided copies of the presentation to all in attendance. Mr. Neal described the process framework and the updated Roadway Action Plan for Collin County and the CCSR. Topics discussed by Mr. Neal included Collin County demographic and growth projections, current facilities, facility spacing, limited access roadways comparison and network gaps.

Mr. Neal reviewed four north/south scenarios: West Corridor, Lake Corridor, SH 78/SH205/John King Corridor and the Collin County Outer Loop and east/west scenarios Options #3 and #4A and then provided a summary of findings relating to the scenarios. Mr. Neal presented a summary of non-tolled recommendations for Mobility 2045, extended an invitation for public input and concluded with a discussion of the commitment to environmental, engineering and construction efforts.

Mr. Neal answered the Council’s questions relating to the impacts of growth and anticipated traffic flows on the region and on Lavon specifically. City staff advised that the City’s 2005 Thoroughfare Map was in need of an update. Mr. Neal concluded, emphasizing that the process is in very preliminary stages and the concepts are little more than lines on a map to be fed into a travel demand modeling process and that incorporating the concepts into the Mobility 2045 Plan would provide an important opportunity for the region to be further studied. The City Council expressed appreciation to Mr. Neal for the information presentation.

Mayor Teske recessed the meeting at 8:02 p.m. and reconvened at 8:12 p.m.

## 8. CONSENT AGENDA

- A. Approve the Minutes of the October 17, 2017 Meeting.

**MOTION: APPROVE THE CONSENT AGENDA.**

**MOTION MADE:** WRIGHT

**SECONDED:** SANSON

**APPROVED:** SANSON, WRIGHT, AND CHILDERS

Abstain: COOK, SERKLAND

## 9. ITEMS FOR CONSIDERATION

- A. **Discussion and action regarding the Application for Participation in the Texas Short Term Asset Reserve Program (TexSTAR), approving and authorizing the Mayor to execute the application and approving signatories for the account(s) to provide the city with an additional investment option emphasizing safety and liquidity.**

Ms. Dobbs reviewed the Investment Policy 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, one of the 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. Owens confirmed that unlike LOGIC that has a return of 1.28%, TexSTAR does not invest in commercial paper and has a return of 1.05%. Mr. Childers expressed support for investing in both pools citing the need for diversification to comply with the Investment Policy.

**MOTION: APPROVE THE APPLICATION FOR PARTICIPATION IN THE TEXAS SHORT TERM ASSET RESERVE PROGRAM (TEXSTAR), APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE APPLICATION AND APPROVING SIGNATORIES FOR THE ACCOUNT(S) TO PROVIDE THE CITY WITH AN ADDITIONAL INVESTMENT OPTION EMPHASIZING SAFETY AND LIQUIDITY.**

**MOTION MADE:** CHILDERS  
**SECONDED:** SERKLAND  
**APPROVED:** SANSON, WRIGHT, CHILDERS AND SERKLAND  
Abstain: COOK

**B. Discussion and action regarding Resolution No. 2017-11-01 casting two (2) votes for the Collin Central Appraisal District Board of Directors.**

The consensus of the Council was to table the item to allow further review of the candidates and directed that the item be placed on the December 5, 2017 meeting agenda. No action was taken.

**C. Discussion and action regarding Resolution No. 2017-11-02, amending Resolution No. 2017-09-07 authorizing the Mayor to execute an Interlocal Cooperation Agreement for Public Works Services with the City of Farmersville.**

Ms. Dobbs reviewed the terms of the interlocal agreement and recommended approval.

**MOTION: APPROVE RESOLUTION NO. 2017-11-02, AMENDING RESOLUTION NO. 2017-09-07 AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT FOR PUBLIC WORKS SERVICES WITH THE CITY OF FARMERSVILLE.**

**MOTION MADE:** WRIGHT  
**SECONDED:** SANSON  
**APPROVED:** SANSON, WRIGHT, CHILDERS AND SERKLAND  
Abstain: COOK

**D. Discussion and action regarding Ordinance No. 2017-11-01 amending Ordinance No. 2005-06-02 regarding quiet hours for construction activities.**

Ms. Dobbs reviewed resident John Kell's request to expand the quiet hours from 8:00 p.m. - 6:00 a.m. to 8:00 p.m.- 7:00 a.m.

**MOTION: APPROVE ORDINANCE NO. 2017-11-01 AMENDING ORDINANCE NO. 2005-06-02 REGARDING QUIET HOURS FOR CONSTRUCTION ACTIVITIES.**

**MOTION MADE:** WRIGHT  
**SECONDED:** SERKLAND  
**APPROVED:** SANSON, WRIGHT, CHILDERS AND SERKLAND  
Abstain: COOK

**E. PUBLIC HEARING, discussion and action regarding an application submitted by Fred Finch, Chandler Signs on behalf of owner Jonathan Kuipers, NGREHC, LLC, for a variance to Ordinance No. 2003-04-01, Sign Ordinance, Section 17 Prohibited Signs, to permit an "Illuminated Sign" at 410 SH 78, Lavon, Texas near the intersection of SH 78 and Lake Road. (*continued from October 17, 2017*).**

Mayor Teske re-opened the public hearing continued from October 17, 2017 at 8:39 p.m. and invited comments for or against the application. Ms. Dobbs provided a brief recap of the application and the City Council consideration of the application to date.

- Attorney James Stafford, Scheef & Stone, LLP, representing Dr. Kuipers, spoke in favor of the request and provided information regarding the proposed sign.
- Applicant Fred Finch, Chandler Signs presented images of various styles and types of Electronic Variable Message Signs. Mr. Finch presented examples of the types of messages that can be used relating to new products, new services, changes in hours, insurance, and addition of new staff. Mr. Finch’s presentation included a table of surrounding cities that allow electronic variable message signs and their restrictions noting they were all limited to static messages and that the restrictions on length or duration of message varied from 5 second to 5 minutes.
- Stormy Howland, 725 Crockett. Dr., spoke in opposition to the proposed sign.
- Mr. Stafford suggested tabling action on the request to allow him to present specific information relating to the size, illumination and placement of the sign as well as traffic volumes and speeds.

Mayor Teske closed the public hearing at 8:48 p.m. and opened the floor to discussion by the Council. Ms. Wright stated her opposition to the variable message sign citing a similar sign in Wylie that she found to be very distracting. Mayor Teske asked Chief Jones for his input. Chief Jones stated that he was very concerned about the proposed sign due to the driver distraction that could possibly result from the illumination and the motion of the frequent frame changes of static images. Ms. Sanson stated that she shared the public safety concerns expressed by Chief Jones. Mr. Childers offered that he did not think the distraction caused by the sign would be excessive compared to other signs or to handheld devices. Ms. Serkland stated that she would like to receive the additional information that the applicant offered to provide.

The consensus of the Council was to defer action to December 5, 2017 and allow the applicant to present additional information at that time. Ms. Dobbs confirmed that the public hearing was to remain closed. No action was taken.

**F. Discussion and action regarding water utility rates.**

Mayor Teske reviewed the correspondence from the Bear Creek Special Utility District (BCSUD) regarding an increase in water rates and advised that the City has three meters. Mayor Teske asked if a customer petition were presented in opposition to the rate increase, would the Council want to authorize signatures in support of the petition for the three City meters. Mayor Teske recognized former Council member David Hawkins, 308 Gracy Street, who encouraged the Council to consider the actions of North Texas Municipal Water District (NTMWD) before deciding whether or not to oppose the BCSUD increase. Ms. Serkland said she would oppose the City signing a petition and that the question seemed premature. The consensus of the Council was to take no action at this time. No action was taken.

**10. EXECUTIVE SESSION**

At 9:02 p.m., Mayor Teske recessed the meeting in accordance with Chapter 551 of the Texas Government Code (Open Meetings Law), to discuss the following items:

- a) Section 551.074 [Personnel Matters] for annual evaluation of the City Administrator/City Secretary

**11. RECONVENE INTO REGULAR SESSION**

In accordance with Texas Government Code, Section 551.001, Mayor Teske reconvened the meeting at 9:49 p.m. and advised that no action was taken in executive session.

**MOTION: PURSUANT TO THE TERMS OF THE CITY’S EMPLOYMENT AGREEMENT WITH MS. DOBBS, AUTHORIZE AND AMEND THE BUDGET TO FUND A TEN PERCENT ADJUSTMENT IN ANNUAL SALARY, EFFECTIVE IMMEDIATELY.**

**MOTION MADE:** TESKE  
**SECONDED:** CHILDERS  
**APPROVED:** UNANIMOUS

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

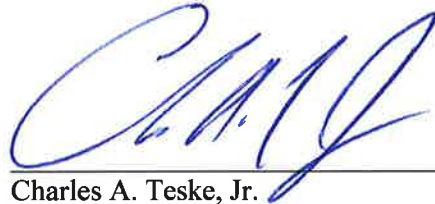
The regular meetings scheduled for November 21, 2017 at 7:00 p.m. and December 19, 2017 will be cancelled.

A special meeting will be scheduled on November 21, 2017 at 9:00 a.m. to canvass the election results and a quorum of two council members will be sufficient.

Ms. Sanson requested that an item be placed on a future agenda to consider policies relating to the provision of open records, including the fees charged and delivery method.

**13. MAYOR TESKE ADJOURNED THE CITY COUNCIL MEETING AT 9:57 PM.**

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



Charles A. Teske, Jr.  
Mayor

**ATTEST:**



Kim Dobbs  
City Administrator | City Secretary

