



**MINUTES
NOVEMBER 19, 2024
LAVON CITY COUNCIL
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS
REGULAR MEETING**

ATTENDING: VICKI SANSON, MAYOR
MIKE SHEPARD, PLACE 1
MIKE COOK, PLACE 2, MAYOR PRO TEM
TRAVIS JACOB, PLACE 3
LINDSEY HEDGE, PLACE 5
ABSENT: TED DILL, PLACE 4

1. **MAYOR SANSON CALLED THE MEETING TO ORDER AT 6:30 P.M. AND ANNOUNCED A QUORUM PRESENT.**
2. **MAYOR SANSON LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND DELIVERED THE INVOCATION.**
3. **CITY SECRETARY RAE NORTON ISSUED THE OATHS OF OFFICE TO THE NEWLY ELECTED COUNCIL MEMBERS.**
4. **EXECUTIVE SESSION**

At 6:34 p.m. in accordance with Texas Government Code, Chapter 551, Subchapter D, the Mayor recessed into Executive Session (closed meeting) pursuant to: Section 551.071 Consultation with Attorney to discuss matters listed on the agenda 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; Section 551.074 Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer; and Section 511.087 Deliberation Regarding Economic Development Negotiations (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

5. **RECONVENE FROM EXECUTIVE SESSION**

In accordance with Texas Government Code, Section 551.001, et seq., Mayor Sanson closed the executive session at 7:33 p.m. stating no action was taken in executive session and reconvened into the regular meeting.

6. **ITEMS OF INTEREST/COMMUNICATIONS**

- Christmas Tree Lighting and Sip & Shop on December 6, 2024
- Breakfast with Santa at the Lavon Fire Department on December 14, 2024
- 2024 Holiday Grease Round up until January 10, 2025
- Lavon Police Department Community Coat Drive until December 6, 2024

7. **CITIZENS COMMENTS**

There were no comments

8. **CONSENT AGENDA**

- A. **Approve the minutes of the November 5, 2024 meeting and November 18, 2024, special meeting.**

MOTION: APPROVE THE CONSENT AGENDA.

MOTION MADE: COOK

SECONDED: SHEPARD

APPROVED: UNANIMOUS (Absent: Dill)

9. ITEMS FOR CONSIDERATION

A. Discussion regarding the regulation of single-family rental properties.

City Attorney, Fritz Quast, Messer Fort Law Firm, discussed the regulation of single-family rental properties. Details were presented regarding estimated projections in development and Mr. Quast advised that federal law prohibits a City from regulating government subsidized housing.

B. Discussion and action regarding consideration of legislative priorities for the 89th Texas Legislature and associated resolutions regarding the negative impact of institutional investors on the single-family housing market and requirements for the creation of municipal utility districts (MUDs) located with the extraterritorial jurisdiction of the city.

City Manager Kim Dobbs presented information regarding the upcoming legislative session in Austin including specific Resolution language for addressing the negative impact of institutional investors on the single-family housing market in Texas and the regulation of municipal utility districts. The City Council directed staff to proceed with drafting the Resolutions.

C. Public Hearing, discussion and action regarding the application of Humble Sign Company for variances to Article 4.05 SIGNS of the Code of Ordinances to Section 4.05.008 Approved Signs and Standards (b)(3) Wall Signs to 1) permit two wall signs which is one sign more than permitted and 2) allow approximately 163.95 square feet in total wall sign area that is 103.95 square feet greater than permitted for Spec's on Block A, Lot 2 of the Highway 205 Tract, Phase 2 Addition at 900 S. SH 78, Lavon, Collin County, Texas (CCAD Property ID 2898140).

Presentation of proposed application.

Ms. Dobbs provided information regarding the request for variances to the sign ordinance. Andrea Peterschick, Humble Sign Company, detailed the requests.

PUBLIC HEARING to receive comments regarding the application.

Mayor Sanson opened the public hearing at 7:57 p.m. There being no comments, Mayor Sanson closed the public hearing at 7:58 p.m.

Discussion and action regarding the application.

MOTION: APPROVE THE APPLICATION OF HUMBLE SIGN COMPANY FOR VARIANCES TO ARTICLE 4.05 SIGNS OF THE CODE OF ORDINANCES TO SECTION 4.05.008 APPROVED SIGNS AND STANDARDS (B)(3) WALL SIGNS TO 1) PERMIT TWO WALL SIGNS WHICH IS ONE SIGN MORE THAN PERMITTED AND 2) ALLOW APPROXIMATELY 163.95 SQUARE FEET IN TOTAL WALL SIGN AREA THAT IS 103.95 SQUARE FEET GREATER THAN PERMITTED FOR SPEC'S ON BLOCK A, LOT 2 OF THE HIGHWAY 205 TRACT, PHASE 2 ADDITION AT 900 S. SH 78, LAVON, COLLIN COUNTY, TEXAS.

MOTION MADE: COOK

SECONDED: HEDGE

APPROVED: UNANIMOUS (Absent: Dill)

D. Public hearing, discussion and action regarding Ordinance No. 2024-11-03 amending the Code of Ordinances in Chapter 6 Fire Prevention and Protection, Article 6.03 Fire Code Section 6.03.001 (a) to adopt the International Fire Code, 2021 Edition with appendix; and in Chapter 4 Building Regulations, Article 4.02 Construction Codes and Standards: Division 2 Building Code, Section 4.02.031 (a) to adopt the International Building Code, 2021 Edition, with appendix; Division 3 Residential Code, Section 4.02.061 (a) to adopt the International Residential Code, 2021 Edition, with appendix; Division 4 Plumbing Code, Section 4.02.091 (a) to adopt the International Plumbing Code, 2021 Edition, with appendix; Division 6 Mechanical Code, Section 4.02.151(a) to adopt the International Mechanical Code 2021 Edition, with

appendix; Division 7 Fuel Gas Code, Section 4.02.181 (a) to adopt the International Fuel Gas Code, 2021 Edition, with appendix; Division 8 Energy Conservation Code, Section 4.02.211(a) to adopt the International Energy Conservation Code, 2021 Edition, with appendix; and Division 9 Property Maintenance Code, Section 4.02.241(a) to adopt the International Property Maintenance Code, 2021 Edition, with appendix; and to adopt respective North Central Texas Council of Government Regional Code Amendments approved in July 2021 and October 2021 thereto; providing a repealing clause; providing a conflicts resolution clause; providing a severability clause; providing a savings clause; providing a penalty in an amount not to exceed two thousand dollars (\$2,000); providing for publication; and declaring an effective date.

Presentation of proposed ordinance.

Ms. Dobbs provided information regarding the code update. Building Official, Wes Caperton detailed the update and the timing.

PUBLIC HEARING to receive comments regarding the proposed ordinance.

Mayor Sanson opened the public hearing at 8:08 p.m. There being no comments, Mayor Sanson closed the public hearing at 8:08 p.m.

Discussion and action regarding the ordinance.

MOTION: APPROVE ORDINANCE NO. 2024-11-03 AMENDING THE CODE OF ORDINANCES IN CHAPTER 6 FIRE PREVENTION AND PROTECTION, ARTICLE 6.03 FIRE CODE SECTION 6.03.001 (A) TO ADOPT THE INTERNATIONAL FIRE CODE, 2021 EDITION WITH APPENDIX; AND IN CHAPTER 4 BUILDING REGULATIONS, ARTICLE 4.02 CONSTRUCTION CODES AND STANDARDS: DIVISION 2 BUILDING CODE, SECTION 4.02.031 (A) TO ADOPT THE INTERNATIONAL BUILDING CODE, 2021 EDITION, WITH APPENDIX; DIVISION 3 RESIDENTIAL CODE, SECTION 4.02.061 (A) TO ADOPT THE INTERNATIONAL RESIDENTIAL CODE, 2021 EDITION, WITH APPENDIX; DIVISION 4 PLUMBING CODE, SECTION 4.02.091 (A) TO ADOPT THE INTERNATIONAL PLUMBING CODE, 2021 EDITION, WITH APPENDIX; DIVISION 6 MECHANICAL CODE, SECTION 4.02.151(A) TO ADOPT THE INTERNATIONAL MECHANICAL CODE 2021 EDITION, WITH APPENDIX; DIVISION 7 FUEL GAS CODE, SECTION 4.02.181 (A) TO ADOPT THE INTERNATIONAL FUEL GAS CODE, 2021 EDITION, WITH APPENDIX; DIVISION 8 ENERGY CONSERVATION CODE, SECTION 4.02.211(A) TO ADOPT THE INTERNATIONAL ENERGY CONSERVATION CODE, 2021 EDITION, WITH APPENDIX; AND DIVISION 9 PROPERTY MAINTENANCE CODE, SECTION 4.02.241(A) TO ADOPT THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2021 EDITION, WITH APPENDIX; AND TO ADOPT RESPECTIVE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENT REGIONAL CODE AMENDMENTS APPROVED IN JULY 2021 AND OCTOBER 2021 THERETO; PROVIDING A REPEALING CLAUSE; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000); PROVIDING FOR PUBLICATION; AND DECLARING JANUARY 1, 2025 AS THE EFFECTIVE DATE.

MOTION MADE: SHEPARD

SECONDED: HEDGE

APPROVED: UNANIMOUS (Absent: Dill)

Mayor Sanson recessed the meeting for a brief break at 8:29 p.m. and reconvened at 8:36 p.m.

- E. Discussion and action regarding proposals for professional services from LJA Engineering Inc. for park design services relating to the community park consisting of landscape design services, concept design refinement, preliminary schematic preparation, and preparation of opinion of probable cost and expanded services consisting of survey, hydrologic and hydraulic, geotechnical, and environmental services up to and not to exceed \$201,400.00.

Abra Nusser, LJA Engineering Inc., provided information regarding options for next steps relating to the park design services for the community park project. Ms. Dobbs noted that the City Council had authorized \$35,000 for the services and that savings on another CIP project resulted in available funding if the Council wished to proceed with the more robust of the two options.

MOTION: APPROVE PROPOSAL OPTION TWO (2) FOR PROFESSIONAL SERVICES FROM LJA ENGINEERING INC. FOR PARK DESIGN SERVICES RELATING TO THE COMMUNITY PARK CONSISTING OF LANDSCAPE DESIGN SERVICES, CONCEPT DESIGN REFINEMENT, PRELIMINARY SCHEMATIC PREPARATION, AND PREPARATION OF OPINION OF PROBABLE COST AND EXPANDED SERVICES CONSISTING OF SURVEY, HYDROLOGIC AND HYDRAULIC, GEOTECHNICAL, AND ENVIRONMENTAL SERVICES UP TO AND NOT TO EXCEED \$201,400.00.

MOTION MADE: SHEPARD

SECONDED: JACOB

APPROVED: UNANIMOUS (Absent: Dill)

- F. Discussion and action regarding the proposed waiver of the maximum permitted block length of 1,000 feet requested by JBI Engineering on behalf of Elevon in the proposed Elevon, Section 3-A Addition, generally situated south of and adjacent to the Northeast Texas Rural Rail Transportation District (NETEX) right-of-way and east of Elevon Section 2, Phase 2-E in the City's extraterritorial jurisdiction.**

Abra Nusser, LJA and Daniel Dewey, JBI provided information relating to the block length waiver request and recommendations. The item was tabled to a non-specific date.

- G. Discussion and action regarding the proposed waiver of the maximum permitted block length of 1,000 feet requested by JBI Engineering on behalf of Elevon in the proposed Elevon, Section 3-C Addition, generally situated north of CR 541 (Watkins Rd.) and east of Elevon Section 2, Phase 2D in the City's extraterritorial jurisdiction.**

Abra Nusser, LJA and Daniel Dewey, JBI provided information relating to the block length waiver request and recommendations. The item was tabled to a non-specific date.

- H. Discussion and action the proposed waiver of the maximum permitted block length of 1,000 feet requested by JBI Engineering on behalf of Elevon in the proposed Elevon, Section 4 Addition, generally situated southeast of the intersection of CR 541 (Watkins Rd.) and FM 2755 in the City's extraterritorial jurisdiction.**

Abra Nusser, LJA and Daniel Dewey, JBI provided information relating to the block length waiver request and recommendations. The item was tabled to a non-specific date.

- I. Discussion and action to appoint a Mayor Pro Tempore for a one-year term that expires in November 2025.**

City Council members discussed and nominated a candidate for Mayor Pro Tempore.

MOTION: APPOINT MIKE COOK AS MAYOR PRO TEMPORE FOR A ONE-YEAR TERM THAT EXPIRES IN NOVEMBER 2025.

MOTION MADE: SHEPARD

SECONDED: HEDGE

APPROVED: UNANIMOUS (Absent: Dill)

- J. Discussion and action regarding Board and Commission appointments – Lavon Economic Development Corporation Board of Directors and Planning and Zoning Commission.**

City Council members discussed appointments for open board positions.

MOTION: APPOINT JOSH EDWARDS TO THE UNEXPIRED TERM OF PLACE 7 OF THE LAVON ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS.

MOTION MADE: COOK

SECONDED: HEDGE
APPROVED: UNANIMOUS (Absent: Dill)

MOTION: APPOINT HENRY VALLEJO TO THE UNEXPIRED TERM OF SEAT 4 ON THE PLANNING AND ZONING COMMISSION.

MOTION MADE: JACOB
SECONDED: SHEPARD
APPROVED: UNANIMOUS (Absent: Dill)

DEPARTMENT REPORTS

- A. Police Services** – Chief Mike Jones provided information regarding reports, programs, and referenced information provided in the meeting packet.
- B. Fire Services** – Chief Danny Anthony referenced the reports in the meeting packet and answered questions.
- C. Public Works** – Director of Public Works David Carter provided general information regarding the public works operations.
- D. Administration** – Ms. Dobbs referenced reports in the meeting packet including building permits; CWD service; Collin County tax collection; sales tax; finance report; TxDOT projects report; and administration and staff report.

11. SET FUTURE MEETINGS AND AGENDA

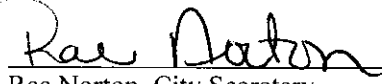
December 3, 2024 –at 6:30 pm Regular meeting.

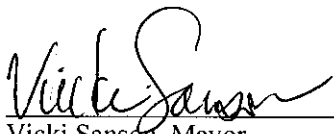
December 17, 2024- at 6:30 pm Regular meeting.

12. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 10:24 P.M.

DULY PASSED and APPROVED by the City Council of Lavon, Texas, on this 3rd day of December 2024.

ATTEST:


Rae Norton, City Secretary


Vicki Sanson, Mayor

