

Lavon City Council Meeting Minutes



November 3, 2009

I. MEETING CALLED TO ORDER AT 7:00 P.M. BY MAYOR PRO-TEM SLAY

Members Present: Council Member Place 2, Deborah Nabors
Council Member Place 4, Aaron Heatley
Council Member Place 5, Paul Slay, Mayor Pro-Tem

Members Absent: Mayor Norma Martin
Council Member Place 1, Chris Kane
Council Member Place 3, Gary Meeks

Staff Present: City Manager, Mike Jones
City Secretary, Linda Ardis
Developmental Services Coordinator, Laura Kennemer

Commission and Board Members: EDCB, David Piekarski

II. MAYOR PRO-TEM SLAY TO LEAD THE COUNCIL AND VISITORS IN THE PLEDGE OF ALLEGIANCE.

Mayor Pro-Tem Slay led the City Council and visitors in the Pledge of Allegiance.

III. INVOCATION

City Manager Mike Jones led the invocation.

IV. ITEMS OF INTEREST/CITY COUNCIL COMMUNICATIONS

Members of City Council have the opportunity to notify others of community events, functions and other activities. There will also be an opportunity to briefly comment on City Council business, City operations, projects and other items coming before the City Council.

None

V. CONSENT AGENDA

A. City Council to Consider and Act on approval of the consent agenda:

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A. City Council to Consider and act on approval of the consent agenda:

1. September 15, 2009 City Council Meeting & Executive Session Minutes*
2. October 20, 2009 City Council Meeting & Workshop Meeting Minutes*
3. October 26, 2009 City Council Special Meeting Minutes*

Mayor Pro-Tem Slay asked for a motion on the consent agenda.

Motion: Council Member Nabors "I move that we approve the consent agenda."

Second: Council Member Heatley

In Favor: Council Member Nabors, Council Member Heatley and Mayor Pro-Tem Slay

Opposed: None

Abstained: None

Motion: Passed

VI. PUBLIC RECOGNITION

None

VII. CITIZENS' COMMENTS

Citizens, who wish to address the Council, may discuss matters not on the agenda and who have not previously expressed to the Council or City Hall a desire to discuss such matters. The only response from the Council can be to request these items to be placed on a future agenda for action.

None

VIII. PUBLIC HEARING

None

IX. ITEMS FOR DISCUSSION

- A. Mayor Martin to discuss selection of Ordinances to be reviewed by the Council.
(Mayor)

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This item was tabled until the next agenda.

B. City Council to discuss options for dealing with delinquent City Service Accounts. (Kennemer)

Development Services Coordinator Laura Kennemer reported there is an agreement in place with Lavon Water Supply Corporation and the City of Lavon which would allow the water to be cut off to houses with delinquent sanitary sewer accounts. Lavon Water Supply Corporation would receive costs associated with disconnections plus a \$5 administrative fee. Laura continued by telling the Council she has now found out that cities can plug the sewer lines. She had contacted TML and TCEQ and there are no legal ramifications to the City as long as proper notification of intent has been given. The Council needs to determine which option they would like to pursue.

After discussing the issue, the Council decided more research was needed concerning going onto the customer's property and locating the clean out drain and plugging it. However, the Council did like the idea of keeping the fees in the City.

C. City Council to discuss P & Z Ordinance. (Nabors)

Council Member Nabors told the Council that the Planning & Zoning Commission does not handle variances at this time unless specifically assigned to do so by the Council. City Manager Jones said that he would like the variance requests to go to the P & Z first. The P & Z would have the first hearing and then an abbreviated hearing would be given to the Council with the P & Z's decision. As usual, the Council could over-ride the P & Z's decision with a super majority vote.

City Manager Jones continued by saying he would also like the P & Z be assigned as the Board of Adjustment. The board is the appeal process for interpreting zoning, subdivision, development and similar related ordinances where no penalties are involved. It is a method to deal with conflicts and interpretation of the board's decision.

D. City Council to discuss Annual Employee Christmas Party. (Nabors)

Council Members Nabors and Heatley told the Council that they would like to plan and lead the Christmas party preparations this year with the staff. Council Member Nabors said she would like to get all the staff, spouses and children involved this year. Both Council Members agreed that this is a time for the Council to acknowledge the staff and show their appreciation. Council Member Heatley said he would check on the availability of Grand Heritage to host the party. They are considering either the 5th or 12th of December.

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X. ITEMS FOR CONSIDERATION AND ACTION

A. City Council to consider and act on Curfew Ordinance # 2009-11-01. (Jones)

City Manager Jones told the Council that this is the same Ordinance that had been discussed at the last two meetings. He told the Council that the date would be amended from October to November by pen.

Motion: Council Member Nabors "I move we approve Curfew Ordinance # 2009-11-01 as amended."

Second: Council Member Heatley

In Favor: Council Member Nabors, Council Member Heatley and Mayor Pro-Tem Slay

Opposed: None

Abstained: None

B. City Council to consider and act on assigning P & Z the authority for variance reviews for the next 90 days. (Jones)

There was no discussion. Mayor Pro-Tem asked if there was a motion.

Motion: Council Member Nabors "I move we assign first review of all variances to the P & Z for the next 90 days."

Second: Council Member Heatley

In Favor: Council Member Nabors, Council Member Heatley and Mayor Pro-Tem Slay

Opposed: None

Abstained: None

C. City Council to consider and act on 2009 Tax Roll Ordinance # 2009-11-02. (Ardis)

City Secretary Ardis and City Manager Jones told the Council this was a procedural matter and to the best of their ability the roll was correct. The ordinance date would be changed from October to November by pen. Mayor Pro-Tem Slay asked for a motion.

Motion: Council Member Nabors "I move we approve the 2009 Tax Roll Ordinance # 2009-11-02."

Second: Council Member Heatley

In Favor:, Council Member Nabors, Council Member Heatley and Mayor Pro-Tem Slay

Opposed: None

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Abstained: None

D. City Council to consider and act on an agreement for disconnection of water service due to nonpayment of City sewer charges. (Kennemer)

E. City Council to consider and act on an agreement for disconnection of water service due to nonpayment of City sewer charges. (Kennemer)

Motion: Council Member Nabors "I move we table item "D" and "E" until the next meeting."

Second: Council Member Heatley

In Favor: Council Member Nabors, Council Member Heatley and Mayor Pro-Tem Slay

Opposed: None

F. City Council to consider and act on approving an Interlocal Agreement with Harris County Department of Education concerning a cooperative purchasing agreement. (Jones)

City Manager Jones told the Council that this an opportunity to save on the cost of fuel for the City. The City purchases approximately 800 gallons of fuel a month. With the agreement in place, we would save .04 cents per gallon and could purchase fuel in places other than Lavon. The fuel cost at the Lavon Exxon is .21 cents higher than Walmart in Wylie.

Motion: Council Member Nabors "I move we approve an Interlocal Agreement with Harris County Department of Education concerning a cooperative purchasing agreement and authorize the City Manager to enter into an agreement with the organization for credit cards."

Second: Council Member Heatley

In Favor: Council Member Nabors, Council Member Heatley and Mayor Pro-Tem Slay

Opposed: None

XI. SETTING FUTURE MEETINGS AND AGENDAS

Council Members and staff may request items to be placed on a future agenda or request a special meeting be called. Each request that passes by a majority vote will be placed on the schedule by the City Secretary.

The following items were requested to be placed on the next agenda:

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1. City Council to discuss an Energy Efficiency Grant to add solar panels to one of our buildings. (Jones)

2. Council Member Heatley said that members of the City Council and Mayor are giving direct orders to the staff which he felt was out of order according to City rules. The rules state that directives should be given as a Council and not by an individual. He felt there needed to be something on the agenda to clarify this issue.

Council Member Nabors agreed that we have rules in place and this needs to be on the agenda. She also stated that she had submitted a draft ordinance to City Manager Jones that covers ethics. She said that basically it was an ethics policy for Council Members and others in positions of authority. The following motion was made:

Motion: Council Member Nabors "I move that we add a proposed Ethics Ordinance as an agenda item under consider and act for the next meeting.:

Second: Council Member Heatley

In Favor: Council Member Nabors, Council Member Heatley and Mayor Pro-Tem Slay

Opposed: None

3. City Council to discuss P & Z Ordinance. (Nabors)

4. City Council to discuss options for dealing with delinquent City Service Accounts. (Kennemer)

5. City Council to consider and act on an agreement for disconnection of water service due to nonpayment of City sewer charges. (Kennemer)

6. City Council to consider and act on adopting Ordinance for City to plug sewers due to nonpayment. (Kennemer)

XII. MAYOR PRO-TEM SLAY TO ADJOURN THE LAVON CITY COUNCIL MEETING.

Mayor Pro-Tem Slay adjourned the City Council Meeting at 7:52 p.m.

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Duly passed and approved on this 17th day of November, 2009.


Mayor Norma Martin

Attest:



Linda Ardis, City Secretary