



Lavon City Council Special Meeting
Minutes
October 15, 2013

I. MEETING CALLED TO ORDER AT 7:10 P.M. BY MAYOR TESKE

Members Present: Mayor Chuck Teske
Council Member Place 2, Deborah Nabors
Council Member Place 3, Melissa Stroop arrived at 7:46
Council Member Place 4, David Hawkins
Council Member Place 5, Jenny Bodwell

Members Absent: Council Member Place 1, Chris Kane, Mayor Pro-Tem

Staff Present: City Secretary Chris Wess
Police Chief Mike Jones

Legal Representative: Jennifer DeCurtis, Zach Noblitt

Commission and Board Members: President EDC Kay Wright, Executive Director EDC Pam Mundo, EDC Board Member David Piekarski

Visitors: 5

There was a quorum present.

II. MAYOR TESKE LED THE COUNCIL AND VISITORS IN THE PLEDGE OF ALLEGIANCE.

III. INVOCATION

Mayor Teske gave the invocation.

IV. CITIZENS COMMENTS

Joan Aquatero stated she noticed the City Offices were closed on October 14, 2013 and according to the Website it was not considered a holiday. She also said she went on the Attorney Generals Website, and noticed that a sign for the Public Information Act should be posted in all public areas, and there is not one in this building. Police Chief Jones added the Open Meetings Act should also be posted.

V. ITEMS OF INTEREST/CITY COUNCIL COMMUNICATIONS

Council Member Nabors relayed that the Lavon Area Chamber of Commerce is in competition with Wylie, Sachse, and Murphy Chambers for collecting cans of chili. She confirmed the cans will be given to the Wylie Christian Care Center and then will be given to needy families in the area. The chili can be dropped off with Council Member Nabors, L & D Automotive, Independent Bank, or that money could be donated and Council Member Nabors would buy the chili. City Secretary Wess stated the North Texas Council of Government is sponsoring



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several car care clinics and that there is one to be held the next day in Rockwall at the Jackson Automotive Specialist. She explained that this is located at 608 White Hills Drive in Rockwall. She relayed the clinic will show you how to change a tire, check your oil and basic car maintenance.

VI. CONSENT AGENDA

- A. Approve the PID #1 Assessment Report Summary dated 9/30/13 (Wess)*
- B. May 7, 2013 Meeting Minutes (Wess)*
- C. May 21, 2013 Meeting Minutes (Wess)*
- D. June 4, 2013 Meeting Minutes (Wess)*
- E. June 18, 2013 Meeting Minutes (Wess)*
- F. The appointment of Grant Winans to the unexpired term, expiring Jan. 1, 2015, for Place 3 of the Lavon Park and Recreation Board (Bodwell)*
- G. Ordinance No. 2013-10-01 adopting the 2013 tax appraisal roll for the City of Lavon. (Wess)

Motion: Council Member Nabors moved to approve the Consent Agenda.

Second: Council Member Hawkins

In Favor: Council Members Nabors, Hawkins and Bodwell

Opposed: None

Motion: Carries

VII. CONSIDERATION AND ACTION

- A. City Council to Consider and Act on approving Resolution No.2013-10-01 granting voluntary petition of M-Tex Properties, L.P., a Texas Limited Partnership, the owners of an area of approximately 6.93 acres of land, Collin County CAD #266581, situated in the Lavon Business Park #2, Lot1, Collin County, TX, requesting that a strip of the area of land consisting of 2.313 acres be annexed into the City of Lavon. (Kane)
Mayor Teske tabled this item.
- B. City Council to Consider and Act on approving Resolution No. 2013-10-02 granting voluntary petition of Lavon Business Park, a Texas Joint Venture, the owner of an area of an area approximately 4.014 acres of land, Collin CAD #2666582, situated in the Lavon Business Park #2, Lot 2, Collin County, Texas, requesting that the area of land be annexed into the City of Lavon. (Kane)
Mayor Teske tabled this item.
- C. City to Consider and Act on approving the Resolution No. 2013-10-03 setting a date, time and place for public hearings on the proposed annexation of certain property by the City of Lavon, Texas: Being a acre strip of land located on a greater parcel of a 6.930 acres more particularly described as Lavon Business Park #2, Lot 1, Collin CAD Property ID 266581 and further described as that certain lot, tract or parcel of land located in the W.A.S. BOHANNON SURVEY,



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ABSTRACT NO. 121, Collin County, Texas, and being a 2.313 acre part of a 24.73 acre tract of land described in a Warranty Deed from Lavon Business Park, a Texas Joint Venture to M-Tex Properties, L.P., dated February 11, 2008 and being recorded in Document number 20080211000159460, Official Public Records of Collin County, Texas; authorizing and directing the City Secretary to have published notice of such public hearings; and directing the preparation of a service plan. (Kane)

Mayor Teske tabled this item.

- D.** City Council to Consider and Act on Resolution No. 2013-10-04 setting a date, time and place for public hearings on the proposed annexation of certain property by the City of Lavon, Texas: 4.104 acre vacant tract of land more particularly described as Lavon Business Park #2, Lot 2, Collin CAD Property ID 2666582, and further described as that certain lot, tract or parcel of land located in the W.A.S. BOHANNON SURVEY, ABSTRACT NO. 121, Collin County, Texas, and being an approximate 4.104 acre part of a 24.73 acre tract of land described in a Deed from P.D. Brown to Lavon Business Park, a Texas Joint Venture, dated November 26, 2003 and being recorded in Volume 341, Page 638, Official Public Records of Collin County, Texas; authorizing and directing the City Secretary to have published notice of such public hearings; and directing the preparation of service plan. (Kane)
- Mayor Teske tabled this item.

- E.** City Council to Consider and Act on approving the Heritage Public Improvement District No. 1 (Residential) Annual Service Plan Update. (Wess)
- City Secretary Wess stated this is sent to the City every year.

Motion: Council Member Nabors moved to approve the Heritage Public Improvement District No. 1 (Residential) Annual Service Plan Update.

Second: Council Member Bodwell

In Favor: Council Members Nabors, Hawkins and Bodwell

Opposed: None

Motion: Carries

VII. DISCUSSION

- A.** City Council to discuss the draft of the fiscal year ending 2012 audit. (Teske)
- Neil and Mike Conway stated it was a standard government audit report and Mr. Neil Conway went over the report. President of the EDC Kay Wright voiced that she was upset that the audits of the City and the EDC were combined. Mr. Conway explained the EDC contract stated it would be combined.

IX. EXECUTIVE SESSION

The City Council of the City of Lavon will recess into Executive Session (Closed Meeting) pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to discuss the following:



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- A.** In accordance with Texas Government Code, Section 551.071, consultation with City Attorney on a matter 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 the Open Meetings Act regarding City Audit and Grand Heritage property trade.

Council convened into Executive Session at 7:25 p.m.

X. RECONVENE INTO REGULAR SESSION at 7:38 p.m.

The City Council of the City of Lavon will reconvene into Regular Session (Open Meeting) pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to take action necessary regarding the following items discussed in Executive Session:

- A.** In accordance with Texas Government Code, Section 551.071, consultation with City Attorney on a matter 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 the Open Meetings Act regarding City Audit and Grand Heritage property trade.

Mayor Teske stated no action would be taken on this item.

VII. DISCUSSION

- B.** City Council to have the first public reading of Resolution No. 2013-10-05 authorizing a development and incentive agreement for the following property: 6.93 acres of land generally located on the south side of Lavon Circle, east of FM 205.

Mayor Teske read the resolution. Joan Aquatero had a question about the incentive agreement. She wanted to know if citizens' money would be involved. Mayor Teske explained that the EDC was sponsoring it. Joan Aquatero asked if the sewer would be hooked up to the property and who would pay for that. Executive Director EDC Pam Mundo explained the EDC was reimbursing the developer for the sewer line in exchange for an increase in property value and sales tax.

Council Member Stroop arrived at 7:46 p.m.

IX. EXECUTIVE SESSION

The City Council of the City of Lavon will recess into Executive Session (Closed Meeting) pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to discuss the following:

- B.** In accordance with the Texas Government Code, Section 551.074, personnel matters – to deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; or to hear a complaint or charge against a public officer or employee:

- City Secretary



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Council convened into Executive Session at 7:46 p.m.

X. RECONVENE INTO REGULAR SESSION at 8:47 p.m.

The City Council of the City of Lavon will reconvene into Regular Session (Open Meeting) pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to take action necessary regarding the following items discussed in Executive Session:

B. In accordance with the Texas Government Code, Section 551.074, personnel matters – to deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; or to hear a complaint or charge against a public officer of employee:

- City Secretary

Motion: Council Member Nabors moved that the City require the City Secretary to undergo Customer Service training as identified by the Mayor.

Second: Council Member Stroop

In Favor: Council Members Nabors, Stroop, Hawkins and Bodwell

Opposed: None

Motion: Carries

XI. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS

Council Member Hawkins would like to have the streets and Park Project put on the agenda.

Motion: Council Member Nabors motioned, to place on the Consider and Act Agenda, the enrollment of all employees in customer service training and the modification of the budget to do so.

Second: Council Member Stroop

In Favor: Council Members Nabors, Stroop, Hawkins and Bodwell

Opposed: None

Motion: Carries

XII. PRESIDING OFFICER TO ADJOURN THE CITY COUNCIL MEETING

Mayor Teske adjourned the meeting at 8:46 p.m.

Duly passed and approved on this 3RD day of December, 2013.

Mayor Chuck Teske

Attest:

Chris Wess, City Secretary