



Minutes
January 17, 2017
City of Lavon City Council
Lavon City Hall, 120 School Rd., Lavon, TX
Regular Meeting

1. MAYOR TESKE CALLED THE MEETING TO ORDER AT 7:00 P.M. AND ANNOUNCED A QUORUM PRESENT.

ATTENDING: CHUCK TESKE, MAYOR
VICKI SANSON, PLACE 1
KAY WRIGHT, PLACE 3
MATT CHILDERS, MAYOR PRO TEM, PLACE 4
MINDI SERKLAND, PLACE 5
ABSENT: DONNIE SPRADLIN, PLACE 2

2. MAYOR TESKE LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND DELIVERED THE INVOCATION.

3. PRESENTATIONS

a. Recognition of Madu Kanduru

Mr. Kanduru was unable to attend the meeting.

b. Presentation by Angela Richardson Woods, Community Program Specialist, McKinney Area Office, Rural Development, United States Department of Agriculture

4. CITIZENS COMMENTS

Charles Allen, 283 Lamar Drive, inquired about increasing efforts to clean up the southern corridor into the City along Highway 205.

5. ITEMS OF INTEREST/CITY COUNCIL COMMUNICATIONS

There were none.

6. CONSENT AGENDA

A. Approve the Minutes of the January 3, 2017 Meeting.

B. Accept the Heritage Public Improvement District #1 Assessment Report Summary dated 12/31/16 and authorize the payment of invoices included therein.

MOTION: APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION MADE: SERKLAND

SECONDED: WRIGHT

APPROVED: UNANIMOUS

Absent: SPRADLIN

7. DISCUSSION

A. Discussion regarding resident request for an amendment to Ordinance No. 2016-08-07 regarding a waiver of mandatory participation or an “opt-out rate” in the City’s garbage utility service.

Mayor Teske presented the request of a resident to allow for an “opt-out” provision to mandatory participation in the City’s garbage collection program. The resident wished to transport her

household garbage to her office in another city. The City Council discussed the request and the consensus was not to allow residents to opt out of service.

B. Discussion regarding partnership opportunities with the City of Nevada relating to public safety.

Mayor Teske reported that at their most recent City Council meeting, the City of Nevada City Council expressed interest in discussing with the City of Lavon, opportunities for the City of Lavon to provide police services to the City of Nevada. The police service in the City of Nevada is presently provided by the Collin County Sheriff's Office and the Nevada City Council expressed a desire to obtain a higher level of service than what is presently being provided. The timetable would be to discuss program options and costs for the fiscal year 17-18 budget. The consensus of the Lavon City Council was to explore partnership opportunities and open a dialogue.

C. Discussion regarding partnership opportunities and a possible development agreement to facilitate road construction and fire safety services with Bloomfield Homes, L.P.

Mayor Teske reported on conversations he had recently with the executives at Bloomfield Homes pertaining to cooperative efforts to improve a portion of Geren Rd. and construct the fire department living quarters. The City Council supported the efforts and directed Mayor Teske to continue the conversations to move forward with a development agreement that contained provisions for all items.

D. Discussion regarding a May 2017 Special Election and/or November 2017 Regular Election.

- Street Maintenance Sales Tax Enhancement

City Administrator Kim Dobbs reported on the City Council's inquiry about moving forward to obtain the outstanding sales tax for street maintenance. Dobbs described the parameters and restrictions of the tax and the steps to place the matter to voters. The City Council expressed support for securing the additional sales tax revenue and directed the staff to place the item for action on the next agenda.

- Bond Referendum for Park Construction

Dobbs reported on the Park Board discussions relating to the development of the 19-acre park behind City Hall. The information considered by the Park Board at their last meeting consisted of three phases and the elements of the park totaled almost \$9,000,000. Dobbs advised that the Park Board is scheduled to meet on January 23. The City Council directed staff to report back to the Council at the next meeting and present options for funding the park improvements.

8. DISCUSSION AND ACTION

A. Discussion and action regarding the first reading of Resolution No. 2017-01-03 authorizing the Lavon Economic Development Corporation to expend funds for an incentive to Exint Inc., 4812 Rancho del Norte Trail, McKinney, TX 75075 for up to 50% of the cost of constructing a sanitary sewer line from main street to a proposed retail center facing Lake Road, such incentive to not exceed \$21,500.00.

Lavon Economic Development Corporation (LEDC) Executive Director Pam Mundo presented information regarding the proposed commercial development and anticipated economic impact and benefits of the project. Dobbs noted that the Resolution requires two readings and if approved, the Resolution would be returned to the City Council at their next meeting for the second and final reading.

MOTION: APPROVE THE FIRST READING OF RESOLUTION NO. 2017-01-03 AUTHORIZING THE LAVON ECONOMIC DEVELOPMENT CORPORATION TO EXPEND FUNDS FOR AN INCENTIVE TO EXINT INC., 4812 RANCHO DEL NORTE TRAIL, MCKINNEY, TX 75075 FOR UP TO 50% OF THE COST OF CONSTRUCTING A SANITARY SEWER LINE FROM MAIN STREET TO A PROPOSED RETAIL CENTER FACING LAKE ROAD, SUCH INCENTIVE TO NOT EXCEED \$21,500.00

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

B. Discussion and action regarding Resolution No. 2017-01-04 authorizing the Mayor to execute a Chapter 380 Grant Agreement with Bloomfield Homes, L.P. to encourage and induce the generation of local use taxes.

Dobbs provided information regarding the sales and use tax proposal from Bloomfield Homes L.P. Mundo offered additional information regarding the LEDC support for the proposal. Doug Duffie, on behalf of Bloomfield Homes L.P., presented additional information and background regarding the program in other cities.

MOTION: APPROVE RESOLUTION NO. 2017-01-04 AUTHORIZING THE MAYOR TO EXECUTE A CHAPTER 380 GRANT AGREEMENT WITH BLOOMFIELD HOMES, L.P. TO ENCOURAGE AND INDUCE THE GENERATION OF LOCAL USE TAXES.

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

C. Discussion and action regarding Resolution No. 2017-01-05 authorizing the submission of an application to the Texas Department of Agriculture for funding through the Texas Community Development Block Grant Program (TxCDBG) and designating the Mayor to act as the City's Executive Officer and Authorized Representative for all matters pertaining to the application and committing local match.

Dobbs presented information pertaining to the CDBG application and pointed out that the scoring potential could be improved if the City Council increased the match authorized to 10% or \$27,500.00. The Council directed that the resolution in the packet be amended in Section 5. to reflect \$27,500.00 matching funds authorization.

MOTION: APPROVE RESOLUTION NO. 2017-01-05, AS AMENDED TO PROVIDE FOR A CITY MATCH OF \$27,500.00, AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR FUNDING THROUGH THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TXCDBG) AND DESIGNATING THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE FOR ALL MATTERS PERTAINING TO THE APPLICATION AND COMMITTING LOCAL MATCH.

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

D. Discussion and action regarding an extension of the period for employees to utilize annual accrued personal leave time for calendar year 2016 from March 1, 2017 to April 1, 2017.

Dobbs advised that the Personnel Manual provides that accrued and unused personal time will expire 14 months after the date of accrual or on March 1. Dobbs explained that staff turnover and the storm damage and relief efforts in the past calendar year had impacted the department directors' ability to schedule employees paid time off. A number of employees began 2017 with leave balances that could be forfeited, particularly in the Police Department. Dobbs requested authorization to extend the time period for accrued personal time to be used from March 1, 2017 to April 1, 2017.

MOTION: APPROVE AN EXTENSION OF THE TIME PERIOD TO USE 2016 PERSONAL TIME FROM MARCH 1, 2017 TO APRIL 1, 2017.

MOTION MADE: SERKLAND

SECONDED: SANSON
APPROVED: UNANIMOUS
Absent: SPRADLIN

E. Discussion and action regarding a proposal for redesign of and related services pertaining to the City website submitted by Whitney Solutions, L.L.C.

Dobbs presented a proposal from Whitney Solutions, L.L.C. for the redesign and update of the City's website.

MOTION: APPROVE THE PROPOSAL FROM WHITNEY SOLUTIONS, L.L.C. FOR A REDESIGN OF THE WEBSITE NOT TO EXCEED \$5,500.00.

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

F. Discussion and action to honor and appoint volunteer Charles Allen as the Lavon Film Friendly Coordinator.

Councilmember Wright explained that Mr. Allen led the efforts to obtain the Film Friendly designation for the City of Lavon and because Mr. Allen no longer serves on the LEDC Board of Directors, it would be helpful to provide a title for his use in his ongoing volunteer efforts to promote the City.

MOTION: CREATE THE VOLUNTEER POSITION OF AND APPOINT CHARLES ALLEN AS THE LAVON FILM FRIENDLY COORDINATOR.

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

G. Discussion and action regarding board and commission appointments – Planning & Zoning Commission, Lavon Reinvestment Zone #1 (TIF) Board of Directors and Parks & Recreation Board.

Dobbs reviewed the Council's previous discussions regarding board appointments to the Planning & Zoning Commission, Parks & Recreation Board and Lavon Reinvestment Zone #1 (TIF) Board of Directors.

MOTION: APPROVE APPOINTMENTS AS FOLLOWS:

PLANNING & ZONING COMMISSION, COUNCIL LIAISON: VICKI SANSON
PLANNING & ZONING COMMISSION, SEAT 1: BRADLEY TIEGS
PARKS & RECREATION BOARD, SEAT 1: MIKE GULINO
PARKS & RECREATION BOARD, SEAT 3: DANETTE MCCRARY
PARKS & RECREATION BOARD, SEAT 5: CHARLES TESKE
LAVON REINVESTMENT ZONE #1 (TIF) BOARD, SEAT 4: CHARLES TESKE

MOTION MADE: TESKE
SECONDED: SERKLAND
APPROVED: UNANIMOUS
Absent: SPRADLIN

9. STAFF REPORTS

A. Police Department – Lieutenant Roger Myers reported on Police Department statistics for November 2015 through December 2016 and on recent developments relating to the status and need related to the P25 phase 2 radios.

B. Fire Department – Director Jon Scott reported: 1) Siren Status/Test Date – Wednesday, February 1, 2017 at noon; 2) Fire Services vehicle is anticipated for delivery at the end of February; and 3) NVFD Year-end statistics.

C. Public Works Department – Director Sonny Mancias reported on: 1) General and preventive maintenance and repair work on the Orbit lift station; 2) Clean up at the outfall of the detention pond behind the NeSmith Elementary School and head walls; 3) Replaced speed limit sign in Big Grand Heritage; and 4) ongoing sewer inflow and infiltration (I&I) control efforts.

D. Administration – Dobbs referred to the materials provided in the meeting packet: Financial Outlook, November 2016 Monthly Tax Collection Report, November 2016 Recycling Services summary, NeSmith Elementary Note of Appreciation, Texas Municipal League training opportunities and Insurance Services Office (ISO) correspondence.

10. EXECUTIVE SESSION

At 8:55 p.m., the Mayor recognized attorney Marie Rovira, Messer, Rockefeller & Fort and recessed the meeting to go into Executive Session (closed meeting) to discuss the following: in accordance with the provisions of Chapter 551, TEXAS GOVERNMENT CODE, with the authority contained in:

- §551.071 (2) Consultation with 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 this chapter:
 - Sewer utility Certificates of Convenience and Necessity (CCNs) in the corporate limits and extraterritorial jurisdiction
 - Docket No. 46341 filed with the Public Utility Commission of Texas

11. RECONVENE INTO REGULAR SESSION

The Mayor reconvened the meeting at 9:26 p.m. and stated that no action was taken in executive session in accordance with Texas Government Code, Section 551.001.

12. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS

Council Members and staff may request items be placed on a future agenda or request a special meeting.

- February 7, 2017 Joint Meeting with Community Independent School District Board

13. PRESIDING OFFICER TO ADJOURN THE CITY COUNCIL MEETING

Mayor Teske adjourned the meeting at 9:28 p.m.

Duly passed and approved on this 7th day of February, 2017.



Charles A. Teske, Jr., Mayor

Attest:



Kim Dobbs, City Administrator | City Secretary

