



MINUTES
JUNE 19, 2018
CITY OF LAVON CITY COUNCIL
LAVON CITY HALL, 120 SCHOOL RD., LAVON, TX
REGULAR MEETING
6:00 P.M.

ATTENDING: CHUCK TESKE, MAYOR
VICKI SANSON, MAYOR PRO TEM, PLACE 1
MIKE COOK, PLACE 2
KAY WRIGHT, PLACE 3
MINDI SERKLAND, PLACE 5

ABSENT: TIM DAVIS, PLACE 4

- 1. MAYOR CHUCK TESKE CALLED THE MEETING TO ORDER AT 6:02 P.M. AND ANNOUNCED A QUORUM PRESENT.**
- 2. BOY SCOUT MILES SERKLAND LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND MAYOR TESKE DELIVERED THE INVOCATION.**

3. CITIZENS COMMENTS

There were none.

4. ITEMS OF INTEREST/COMMUNICATIONS

Council Member Kay Wright informed the council of the recent filming of an episode of "Murder Made Me Famous" at City Hall. Ms. Dobbs will keep the council updated on the airing of the show.

- June 26, 2018 - Babysitter Training Course
- July 4, 2018 – Pancake Breakfast honoring John Abston, Revolutionary War Veteran
- July 19, 2018 – Camp 911

5. PROCLAMATION

Presentation to Cooper Kane, United States Air Force Academy Appointment

Mayor Teske read a proclamation honoring resident Cooper Kane who was recently appointed to attend the United States Air Force Academy in Colorado Springs, Colorado. Mayor Teske recognized Cooper's family, extolled Cooper's achievements and congratulated Cooper on his selection for appointment. Jason Ross, District Chief of Staff for United States Congressman John Ratcliffe, District 4 provided information about the appointment and selection process, noting that Cooper was one of 1160 students selected from over 10,000 applicants. United States Air Force liaison Major Ty Tripple described the program and commitment required to attend the Academy.

6. CONSENT AGENDA

- A. Approve the minutes of the June 5, 2018 meeting.**
- B. Approve the minutes of the June 12, 2018 meeting.**
- C. Accept the Heritage Public Improvement District #1 Assessment Report Summary dated 5/31/2018 and authorize the payment of invoices included therein.**

MOTION: APPROVE THE CONSENT AGENDA, AS WRITTEN.

MOTION MADE: WRIGHT
SECONDED: SANSON
APPROVED: UNANIMOUS
Absent: DAVIS

7. STAFF REPORTS

- A. Police Department – Chief Mike Jones provided the council with traffic stops, calls for service, and call breakout information. Councilmember Wright asked if accident calls have dropped since the designated turn lane at Hwy 78 and 205 has been working and Chief Jones advised there have been no accidents since the turn lane had been installed.
- B. Fire Marshal’s Office – Fire Marshal Jon Scott provided a report regarding the Emergency Operations Center expansion progress.
- C. Public Works Department – Director of Public Works Sonny Mancias provided a report regarding general public works and street maintenance including mowing and trash collection, TxDOT projects, the public works facility construction update and sanitary sewer system maintenance efforts. Mr. Mancias further noted that the City received approval of the engineering design and construction plans from the Texas Commission on Environmental Quality (TCEQ) for the expansion of the wastewater treatment plant.
- D. Administration – City Administrator Kim Dobbs directed the Council to reports provided in the meeting packet regarding the Financial Outlook, Building Permits Report, CWD Recycling Report, Collin County Monthly Tax Collection Report and Sales Tax Report. Ms. Dobbs provided information regarding the Lavon Volunteer Fire Department (LVFD) Transition and Implementation Plan progress and distributed to the Council a copy of the Plan and a memo that outlined specific communication with the NVFD regarding the agreement proposed by NVFD. Ms. Dobbs noted that the email communications show that the City staff promptly and consistently communicated with the NVFD regarding the proposal, contrary to statements made by some associated with the NVFD that the City had not responded.

8. ITEMS FOR CONSIDERATION

- A. **Discussion and action regarding Resolution No. 2018-06-06 authorizing an amendment to the contract with Community Waste Disposal (CWD) for the collection, hauling and disposal of municipal solid waste to approve a market adjustment to rates charged.**

Ms. Dobbs informed the Council that due to car difficulty en route, CWD representative Nicole Roemer sent her regrets to the Council that she could not attend the meeting and would attend the next meeting if desired. Ms. Dobbs provided information regarding the rate increase proposed in accordance with provisions of the franchise agreement, confirmed that no rate increase to resident customers was being proposed at this time and explained that if a rate increase to customers was considered, it would be in conjunction with the annual budget and fee schedule review in September.

MOTION: APPROVE RESOLUTION NO. 2018-06-06 AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH COMMUNITY WASTE DISPOSAL (CWD) FOR THE COLLECTION, HAULING AND DISPOSAL OF MUNICIPAL SOLID WASTE TO APPROVE A MARKET ADJUSTMENT TO RATES CHARGED.

MOTION MADE: WRIGHT

SECONDED: COOK

APPROVED: (3-0-1) SANSON, COOK, WRIGHT

ABSTAIN: SERKLAND

Absent: DAVIS

Ms. Serkland advised that she abstained although she understood that CWD was entitled to the rate increase pursuant to their contract she did not support a rate increase.

- B. **Discussion and action regarding Resolution No. 2018-06-07 of the City Council of the City of Lavon, Texas, authorizing the creation of the Lavon Volunteer Fire Department, Inc. as a Texas Non-Profit Corporation; approving a Certificate of Formation and Bylaws; appointing a Board of Directors of the corporation; directing staff to submit any necessary paperwork to obtain a tax exemption status with the IRS and Texas Comptroller of Public Accounts.**

City Attorney Andy Messer provided information and answered questions regarding the proposed resolution. Ms. Dobbs and Mr. Messer reviewed changes to the draft by-laws. Ms. Dobbs suggested that Chief Jones, resident Kelly Turk and a city council member be appointed as Directors. The Council discussed the appointment of Directors and Ms. Serkland volunteered to represent the Council on the Board.

MOTION: APPROVE RESOLUTION NO. 2018-06-07 OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, AUTHORIZING THE CREATION OF THE LAVON VOLUNTEER FIRE DEPARTMENT, INC. AS A TEXAS NON-PROFIT CORPORATION; APPROVING A CERTIFICATE OF FORMATION AND BYLAWS; APPOINTING A BOARD OF DIRECTORS OF THE CORPORATION; DIRECTING STAFF TO SUBMIT ANY NECESSARY PAPERWORK TO OBTAIN A TAX EXEMPTION STATUS WITH THE IRS AND TEXAS COMPTROLLER OF PUBLIC ACCOUNTS.

MOTION MADE: TESKE
SECONDED: SANSON
APPROVED: UNANIMOUS
Absent: DAVIS

MOTION : APPOINT MIKE JONES (ONE YEAR TERM), AND KELLY TURK AND MINDI SERKLAND (TWO YEAR TERMS) TO THE LAVON VOLUNTEER FIRE DEPARTMENT BOARD OF DIRECTORS.

MOTION MADE: WRIGHT
SECONDED: COOK
APPROVED: UNANIMOUS
Absent: DAVIS

C. Discussion and action regarding the appointment of a Chief of the Lavon Volunteer Fire Department.

Ms. Dobbs recommended that Jon Scott be appointed Chief of the LVFD and noted that his qualifications satisfied the requirements. Ms. Serkland asked if there were any conflicts of interest since Mr. Scott is employed by the City as Fire Marshal and Mr. Messer advised there were none.

MOTION: APPOINT JON SCOTT AS FIRE CHIEF OF THE LAVON VOLUNTEER FIRE DEPARTMENT.

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

D. Discussion and action regarding the resignation of Mayor Charles A. Teske, Jr.

Mayor Teske introduced his wife Kim and daughter Abby and read a letter of resignation due to his family's relocation to a home outside of the City of Lavon.

MOTION: ACCEPT THE RESIGNATION OF MAYOR CHARLES A. TESKE, JR.

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

Mayor Teske stepped down from the dais and Mayor Pro Tem Sanson began presiding.

E. Discussion and action regarding the appointment for the unexpired term of Mayor that will expire in November 2018.

MOTION: APPOINT VICKI SANSON AS MAYOR OF THE CITY OF LAVON FOR A TERM THAT EXPIRES IN NOVEMBER 2018.

MOTION MADE: WRIGHT

SECONDED: COOK

APPROVED: UNANIMOUS OF THOSE ELIGIBLE TO VOTE

ABSTAIN: SANSON (*Note:TX Local Government Code, Section 22.0010 (a-1) states a council member may not vote on the member's own appointment*)

Absent: DAVIS

F. Discussion and action, if necessary, regarding the appointment of a city council member to a vacant seat on the City Council for a term that expires in November 2018.

MOTION: NOMINATE JOHN KELL TO THE UNEXPIRED TERM OF PLACE 1 OF THE LAVON CITY COUNCIL.

MOTION MADE: WRIGHT

SECONDED: SERKLAND

APPROVED: UNANIMOUS

Absent: DAVIS

9. OATHS AND APPOINTMENTS

A. Oath of Office administered to the Mayor and, if necessary, City Council Member.

Ms. Dobbs administered the pre-Oath and Oath of Office to Mayor Sanson and to Council member John Kell.

B. Discussion and action, if necessary, to nominate and appoint a Mayor Pro-Tem for a term that expires in November 2018.

MOTION: APPOINT KAY WRIGHT MAYOR PRO TEM FOR A TERM THAT EXPIRES IN NOVEMBER 2018.

MOTION MADE: SERKLAND

SECONDED: COOK

APPROVED: UNANIMOUS

Absent: DAVIS

10. 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.

- A. Joint Work Session with Planning & Zoning Commission regarding Marlin Partners development project - June 26, 2018 at 6:00 P.M.
- B. The City Council cancelled the July 3, 2018 regular meeting due to lack of quorum because of the July 4th holiday.
- C. Budget Work Session – July 17, 2018 at 6:00 P.M.

11. PROCLAMATION

Presentation to Mayor Charles A. Teske, Jr.

Mayor Pro Tem Wright presented a plaque of appreciation to Mayor Teske from the Lavon Economic Development Corporation. Mayor Sanson presented a proclamation recognizing the many contributions of Mayor Teske and expressed appreciation for his leadership. Mayor Sanson presented Mayor Teske with a ceremonial gavel. Ms. Dobbs read a presentation certificate from United States Congressman John Ratcliffe and presented Mayor Teske with a flag flown over the United States Capitol in his honor.

12. MAYOR SANSON ADJOURNED THE MEETING AT 7:37 P.M.

13. RECEPTION

Mayor Sanson invited the public to attend a reception immediately following the meeting in honor of Mayor Teske.

DULY PASSED and APPROVED by the City Council of the City of Lavon, Texas, on this 17th day of July, 2018.



Vicki Sanson
Mayor

ATTEST:



Kim Dobbs, City Administrator | City Secretary

