



**MINUTES  
NOVEMBER 5, 2019  
LAVON CITY COUNCIL  
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS  
REGULAR MEETING 7:00 PM**

---

ATTENDING: VICKI SANSON, MAYOR  
JOHN KELL, PLACE 1  
MIKE COOK, PLACE 2  
KAY WRIGHT, MAYOR PRO TEM, PLACE 3  
TED DILL, PLACE 4

ABSENT: MINDI SERKLAND, PLACE 5

1. **MAYOR SANSON CALLED THE MEETING TO ORDER AT 7:01 P.M. AND ANNOUNCED A QUORUM PRESENT.**
2. **MAYOR SANSON LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND KAY WRIGHT DELIVERED THE INVOCATION.**

3. **CITIZENS COMMENTS**

There were no citizens comments.

4. **ITEMS OF INTEREST/COMMUNICATIONS**

- November 16, 2019      EDC Small Business Bazaar 10 a.m. – 3 p.m.
- November 7, 2019      Foster Care information class at Lavon First Assembly 7 p.m.
- December 6, 2019      City of Lavon Christmas Tree Lighting 6 p.m. at City Hall

Mayor Sanson noted that the website notification system for City Council agendas has over 300 subscribers registered.

5. **PROCLAMATION**

Mayor Sanson presented a proclamation in honor of Veterans Day November 11, 2019.

6. **CONSENT AGENDA**

- A. **Approve the minutes of the October 15, 2019 meeting.**
- B. **Approve Resolution No. 2019-11-01 amending the Interlocal Cooperation Agreement for Police Services with the City of Nevada that was adopted by Resolution No. 2019-09-10 to provide for a city population estimation method.**
- C. **Approve Resolution No. 2019-11-02 approving the City of Lavon Investment Policy for Public Funds.**

**MOTION: APPROVE THE CONSENT AGENDA.**

MOTION MADE:    DILL  
SECONDED:        COOK  
APPROVED:        UNANIMOUS  
Absent: Serkland

7. **ITEMS FOR CONSIDERATION**

- A. **Public hearing and discussion regarding the application of Damon Serkland for a conditional use permit (CUP) to construct a 2200 sq ft accessory structure at 965 Rolling Meadow Drive, Block C, Lot 7, Bently Farms, Phase 2, CCAD property ID 2132742, Lavon, Collin County, Texas.**

City Administrator Kim Dobbs noted that Ms. Serkland had filed a Conflict of Interest Affidavit and was not present at the meeting.

**Presentation of request.**

The applicant was detained in traffic and unable to attend the meeting. Ms. Dobbs provided location exhibits and general information regarding the application provided by the applicant. Ms. Dobbs explained that a conditional use permit (CUP) was required because the open addition is considered a part of the overall square footage of the building and it would exceed the permitted size of the building. The requested addition could be permitted with a CUP.

**PUBLIC HEARING to receive comments regarding the request.**

Mayor Sanson opened the public hearing at 7:12 p.m. and invited comments in favor of or opposition to the request.

- Rick Mann, 8311 PR 5397, inquired about the impact on stormwater runoff.

There being no further comments Mayor Sanson closed the public hearing at 7:14 p.m.

**Discussion and action regarding the request and accompanying Ordinance.**

Planning and Zoning Commission Chairman David Rosenquist reported that the Commission voted unanimously to recommend approval of the request and that the applicant had stated at the meeting that the intended use of the building was for the storage of cars. Ms. Dobbs advised that the requisite public hearing notice had been posted, published and thirteen (13) neighbor notices were mailed to the owners of properties located within 200 feet of the applicant's property. Four (4) notices were returned in favor of the request and no notices were returned in opposition to the request.

**MOTION: APPROVE ORDINANCE NO. 2019-11-01 AMENDING CHAPTER 9, ZONING ORDINANCE, OF THE CODE OF ORDINANCES, AS HERETOFORE AMENDED SO AS TO GRANT A CONDITIONAL USE PERMIT TO APPLICANT DAMON SERKLAND FOR A CONDITIONAL USE PERMIT (CUP) TO CONSTRUCT A 2200 SQ FT ACCESSORY STRUCTURE AT 965 ROLLING MEADOW DRIVE, BLOCK C, LOT 7, BENTLY FARMS, PHASE 2, CCAD PROPERTY ID 2132742, LAVON, COLLIN COUNTY, TEXAS.**

MOTION MADE: KELL  
SECONDED: WRIGHT  
APPROVED: KELL, COOK, WRIGHT, DILL  
RECUSED/Absent: SERKLAND  
THIS MOTION PASSED 4-0

- B. Public Hearing, discussion and action regarding an amendment to Chapter 9 Planning and Development Regulations, Article 9.1.5.3 Single Family – 2 (SF-2) of the City of Lavon Code of Ordinances, Zoning Ordinance to change the Area Requirements for Main Structure Setbacks for 4a) Minimum Front yard and 4c) Minimum Side Yard of Corner Lots to 25 feet.**

**Presentation of request.**

Ms. Dobbs noted that with the implementation of the updated Zoning Ordinance adopted by the City Council on March 20, 2018, and with the creation of new Zoning Districts, existing conditions are generally permitted as existing non-conforming or the ordinance may be amended as appropriate to address inconsistencies. The Zoning Ordinance provides for a Front Building Line in SF-2 of 30'. The Zoning Map indicates that in addition to unplatted properties along and in the vicinity of Gracy, Forder and Main, the SF-2 District is generally comprised of three platted subdivisions: Hilltop Estates, Bently Farms and Windmill Estates. Each of the forgoing subdivision plats were approved prior to the adoption of the updated Zoning Ordinance and each of the plats provides for a 25' Front Building Line. Ms. Dobbs reported that rather than have existing structures in conflict with the updated Zoning regulations, the staff recommended amending the Ordinance as presented.

## **PUBLIC HEARING**

Mayor Sanson opened the Public Hearing at 7:19 p.m. and requested comments for or against the proposed amendment. There being no comments, the Public Hearing was closed at 7:19 p.m.

### **Discussion and action regarding the request and accompanying Ordinance.**

Ms. Dobbs reported that the required public hearing notice was published and posted. Mr. Rosenquist reported that the Planning and Zoning Commission voted unanimously to recommend approval.

**MOTION: APPROVE ORDINANCE NO. 2019-11-02 AMENDING CHAPTER 9 PLANNING AND DEVELOPMENT REGULATIONS, ARTICLE 9.1.5.3 SINGLE FAMILY – 2 (SF-2) OF THE CITY OF LAVON CODE OF ORDINANCES, ZONING ORDINANCE TO CHANGE THE AREA REQUIREMENTS FOR MAIN STRUCTURE SETBACKS FOR 4A) MINIMUM FRONT YARD AND 4C) MINIMUM SIDE YARD OF CORNER LOTS TO 25 FEET.**

MOTION: DILL  
SECONDED: COOK  
APPROVED: UNANIMOUS  
Absent: Serkland

- C. Discussion and action regarding Ordinance No. 2019-11-03 amending Chapter 4, “Fences”, of the City of Lavon Code of Ordinances by amending Article 4.06.007 “General Standards” to adopt regulations relating to fence maintenance standards; providing a penalty; providing for severability, savings and repealing clauses and an effective date.**

Ms. Dobbs explained that the current regulations relating to fences do not contain specific requirements relating to the maintenance and condition of repair for fences and in order to provide guidance and tools for the staff to address fences that are in disrepair, the proposed amendment has been prepared.

**MOTION: APPROVE ORDINANCE NO. 2019-11-03 AMENDING CHAPTER 4, “FENCES” OF THE CITY OF LAVON CODE OF ORDINANCES BY AMENDING ARTICLE 4.06.007 “GENERAL STANDARDS” TO ADOPT REGULATIONS RELATING TO FENCE MAINTENANCE STANDARDS; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY, SAVINGS AND REPEALING CLAUSES AND AN EFFECTIVE DATE.**

MOTION MADE: WRIGHT  
SECONDED: KELL  
APPROVED: UNANIMOUS  
Absent: Serkland

- D. Discussion and action regarding Ordinance No. 2019-11-04 approving the 2019 Tax Roll Summary for the City of Lavon, Texas as presented by the Collin County Tax Assessor Collector’s Office.**

**MOTION: APPROVE ORDINANCE NO. 2019-11-04 APPROVING THE 2019 TAX ROLL SUMMARY FOR THE CITY OF LAVON, TEXAS AS PRESENTED BY THE COLLIN COUNTY TAX ASSESSORY COLLECTOR’S OFFICE.**

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

- E. Discussion and action regarding Resolution No. 2019-11-03 casting three (3) votes to elect the Collin Central Appraisal District Board of Directors.**

Ms. Dobbs reported that the City was allocated three votes to place. The City Council discussed the qualifications of the nominees and determined to cast one vote each for three nominees.

**MOTION: APPROVE RESOLUTION NO. 2019-11-03 TO CAST ONE (1) VOTE FOR KEITH CHITWOOD, ONE (1) VOTE FOR MICHELLE HOWARTH AND ONE (1) VOTE FOR GARY RODENBAUGH AS DIRECTED BY THE CITY COUNCIL.**

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

**F. Discussion and action regarding Resolution No. 2019-11-04 approving Personnel Policy updates relating to on-call pay and paid time off leave.**

Ms. Dobbs reviewed and answered questions regarding the proposed personnel policy updates.

**MOTION: APPROVE RESOLUTION NO. 2019-11-04 APPROVING PERSONNEL POLICY UPDATES RELATING TO ON-CALL PAY AND PAID TIME OFF LEAVE.**

MOTION MADE: KELL  
SECONDED: WRIGHT  
APPROVED: UNANIMOUS  
Absent: Serkland

**G. Discussion and action regarding Resolution No. 2019-11-05 declaring certain property to be surplus property and authorizing the disposition of same in a manner which is beneficial to the City.**

On behalf of Police Chief Mike Jones, Ms. Dobbs reviewed the proposed surplus police property request for a vehicle gun rack, body cameras and related equipment and the intent to donate the property to the Community Independent School District Police Department and the City of Josephine Police Department respectively.

**MOTION: APPROVE RESOLUTION NO. 2019-11-05 DECLARING CERTAIN PROPERTY TO BE SURPLUS PROPERTY AND AUTHORIZING THE DISPOSITION OF SAME IN A MANNER WHICH IS BENEFICIAL TO THE CITY.**

MOTION MADE: KELL  
SECONDED: WRIGHT  
APPROVED: UNANIMOUS  
Absent: Serkland

**H. Discussion regarding public improvement district (PID) administration for the Heritage PID #1.**

Ms. Dobbs reviewed the current agreements for PID administration with Municap and TIRZ administration with Stein Planning and noted that in February 2019, the City contracted with P3 Works to work with staff to assist in organizing the process, identifying and executing appropriate obligations related to the TIF. Ms. Dobbs explained that the TIF-related work involved discerning complex and complicated aspects of the Heritage PID and the TIF and their relationship. The City Council expressed a desire to combine the administration of both entities together under one administrator and directed staff to request a proposal from P3 Works for PID Administration and TIRZ Administration services for the Heritage PID #1 and the Tax Increment Reinvestment Zone Number One (TIF).

**8. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS**

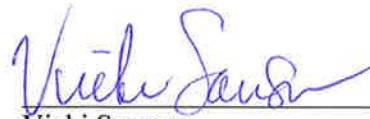
November 19, 2019 - City Council meeting

It was noted that on November 19, there will be a public hearing regarding the Community Vision Assessment, Strategic Plan and Comprehensive Plan Amendments including Future Land Use Plan and Thoroughfare Map.

The Council directed that the second meeting in December be cancelled.

**9. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 7:46 P.M.**

**DULY PASSED and APPROVED** by the City Council of Lavon, Texas, on this 19<sup>th</sup> day of November 2019.



\_\_\_\_\_  
Vicki Sanson  
Mayor

**ATTEST:**



\_\_\_\_\_  
Kim Dobbs  
City Administrator/City Secretary

