



**MINUTES  
NOVEMBER 19, 2019  
LAVON CITY COUNCIL  
REGULAR MEETING – EXECUTIVE SESSION  
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS  
6:30 P.M.**

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ATTENDING: VICKI SANSON, MAYOR  
JOHN KELL, PLACE 1  
MIKE COOK, PLACE 2  
KAY WRIGHT, MAYOR PRO TEM, PLACE 3  
TED DILL, PLACE 4  
MINDI SERKLAND, PLACE 5

**1. MAYOR SANSON CALLED THE MEETING TO ORDER AT 6:30 P.M. AND ANNOUNCED A QUORUM PRESENT.**

**2. EXECUTIVE SESSION**

At 6:31 p.m., in accordance with the Texas Government Code, Annotated, Subchapter 551, Mayor Sanson recessed the meeting to go into executive session (closed meeting) to discuss the following items.

- a) Section 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<sup>5</sup> of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act 1) Abston Hills Development Agreement and
- b) Section 551.071 (1): Consultation with Attorney regarding pending litigation or settlement offer: *United States District Court Northern District of Ohio In re National Prescription Opiate Litigation.*

**3. RECONVENE FROM EXECUTIVE SESSION**

In accordance with Texas Government Code, Section 551.001, et seq., Mayor Sanson reconvened the meeting at 7:08 p.m. and stated that no action was taken in executive session.

**MOTION: WITH REGARD TO PENDING LITIGATION, UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO IN RE NATIONAL PRESCRIPTION OPIATE LITIGATION, DIRECT THE STAFF TO TAKE NO ACTION TO OPT OUT SO THAT THE CITY WILL REMAIN A MEMBER OF THE PLAINTIFF CLASS.**

MOTION MADE: WRIGHT  
SECONDED: SERKLAND  
APPROVED: UNANIMOUS

**4. MAYOR SANSON LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND PASTOR MIKE POWELL DELIVERED THE INVOCATION.**

**5. ISSUANCE OF OATH OF OFFICE TO NEWLY ELECTED MAYOR AND COUNCIL MEMBERS.**

City Administrator Kim Dobbs administered the Oath of Office to Mayor Sanson.

Mayor Sanson administered the Oath of Office to City Council Member, Mike Cook, Place 2 and to City Council Member, Ted Dill, Place 4.

**6. PRESENTATIONS**

Mayor Sanson and the City Council presented proclamations in appreciation for the Lavon First Responders, Pastor Mike Powell, Lavon First Assembly and Pastor Brad Patterson, First Baptist Lavon for their courage and compassion responding to the accident on November 5, 2019. Members of the Lavon Fire Department, Lavon Police Department and Pastor Powell received the proclamations.

## 7. CITIZENS COMMENTS

There were none.

## 8. ITEMS OF INTEREST/COMMUNICATIONS

- December 6, 2019 City of Lavon Christmas Tree Lighting 6:00p.m.
- Mr. Kell provided a recap of the LEDC Small Business Bazaar on November 16, 2019.

## 9. CONSENT AGENDA

- A. Approve the minutes of the November 5, 2019 meeting.**
- B. Accept the Heritage Public Improvement District #1 Assessment Report Summary dated 10/31/2019 and authorize the payment of invoices included therein.**
- C. Approve Resolution No. 2019-11-06 adopting the ExpressVote Universal Voting System, EVS 6.0.2.0 consisting of Electionware election management software, ExpressVote ballot marking device, ExpressTouch curbside voting device, DS200 precinct tabulator/scanner, DS450 high speed central scanner, and DS850 high speed central scanner as prescribed by Collin County.**

**MOTION: APPROVE THE CONSENT AGENDA.**

MOTION MADE: WRIGHT

SECONDED: KELL

APPROVED: UNANIMOUS

## 10. ITEMS FOR CONSIDERATION

- A. Public hearing, discussion and action regarding the Community Vision Assessment, Strategic Plan and amendments to the Comprehensive Plan.**

### **Presentation of request.**

Ms. Dobbs introduced Abra Nusser, President, Ideation Planning, LLC. Ms. Nusser provided a recap of the timeline of project events and process. Ms. Nusser presented the Community Vision Assessment, Strategic Plan and amendments to the Comprehensive Plan. Ms. Nusser noted the Mobility Framework / Thoroughfare Plan and noted the collaboration with Collin County and the North Central Texas Council of Governments. Ms. Dobbs referenced a 2018 Resolution of the City Council supporting regional long-range transportation planning and a freeway corridor in the planning area.

Clarence Daugherty, Director of Engineering, Collin County, spoke in support of the proposed plan and described the County's planning process as well as alignments considered and modeled for both the Outer Loop and the Future Collin County Freeways included in the proposed Comprehensive Plan update. Mr. Daugherty noted that the transportation models for 20-year and for Build Out justify the facilities. Mr. Daugherty advised that as a result of an approved Transportation Bond approved by Collin County voters the County has resources available to begin acquiring the right of way for the project and that service roads would be built initially on either side of the freeway. Mr. Daugherty stated that Collin County has experienced rapid growth, reaching approximately one million population and that major infrastructure improvements are needed to keep pace with and serve the growing population. Mr. Daugherty stated that the alignments, not currently on the Collin County Thoroughfare Plan, will be added.

Ms. Nusser explained that two options for the placement of the north-south freeway were analyzed and stated that the selected alignment for Lavon was the least disruptive or impactful and provided the most economic opportunity. The City's consulting transportation engineer Jody Short, Lee Engineering, confirmed process described by Ms. Nusser. Ms. Dobbs stated that the Thoroughfare Plan and Future Land Use Plan initially adopted independent of the Comprehensive Plan in 2005 would as a result of this process be incorporated into the Comprehensive Plan as appendices.

Ms. Nusser reviewed proposed conditions of approval, non-substantive changes provided to correct minor typographical errors or provide clarification.

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

Mayor Sanson opened the public hearing at 7:51 p.m. and invited comments in favor of or opposition to the Community Vision Assessment, Strategic Plan and amendments to the Comprehensive Plan.

- Art Anderson, Winstead PC, 2728 Harwood St., Dallas stated that he was the attorney representing Petro-Hunt and MA Partners, and referenced a letter he sent that was distributed to the City Council prior to the meeting. Mr. Anderson stated his clients oppose the proposal, primarily the Thoroughfare Plan. He noted the Future Land Use Plan was not as critical to his clients given that most of the property is located in the extraterritorial jurisdiction (ETJ) and not governed by zoning. Mr. Anderson advised that an earlier alignment involved 80 acres of right of way and that the current proposed alignment involves 180 acres of his client's 1500-plus acres of property. Mr. Anderson opined that the alignment would be too close to the outer loop alignment.
- Mike Box, 9939 CR 483, asked the timeframe for annexation of his property and when the roadway would be built near his property? Ms. Dobbs informed him that annexation would be done at the owner's request and that connecting roadway to which he was referring would be built as development of the area would dictate. Ms. Nusser added that on the conceptual plan, they tried to place roadways along property lines where they would have the least impact on homes and trees. Mr. Short added that the dashed lines on the map represented roads that could be adjusted noting the City would employ context-sensitive solutions (CSS), an approach to transportation decision-making and design that takes into consideration the communities and lands through which streets, roads, and highways pass.
- Zandrea Gorsuch, 17312 FM 2755 spoke in opposition to the plan, stating that she didn't like that residents outside the city limits could not take the survey and that her concerns were not taken into account. Ms. Gorsuch asked the council to reconsider some of the road placements on the thoroughfare plan.

There being no further comments Mayor Sanson closed the public hearing at 8:03 p.m.

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

Councilman Kell stated that the city would not be acquiring the land for the county freeway and Ms. Nusser confirmed that Collin County would acquire the right of way for Collin County thoroughfares. Mr. Box inquired about the acquisition process. Ms. Dobbs stated that notice of the public hearing was published in the newspaper, included in the City newsletter and posted on the city's website and social media accounts.

**MOTION: APPROVE THE AMENDMENT TO THE COMPREHENSIVE PLAN AND ADOPT THE COMMUNITY VISION ASSESSMENT INCLUDING THE STRATEGIC PLAN, THE FUTURE LAND USE PLAN AND THE MASTER THOROUGHFARE PLAN, SUBJECT TO THE INCORPORATION OF THE NOVEMBER 19, 2019 PROPOSED CONDITIONS OF APPROVAL.**

MOTION MADE: WRIGHT  
SECONDED: KELL  
APPROVED: UNANIMOUS

**B. Discussion and action to terminate the Public Improvement District (PID) Administration services of Municap, Inc. for the Heritage PID #1 (Residential).**

**MOTION: TERMINATE THE PUBIC IMPROVEMENT DISTRICT ADMINISTRATION SERVICES OF MUNICAP, INC. FOR THE HERITAGE PID #1 (RESIDENTIAL) AND DIRECT STAFF TO TAKE APPROPRIATE NOTIFICATION STEPS AS PRESCRIBED IN THE PROFESSIONAL SERVICES CONTRACT.**

MOTION MADE: SERKLAND  
SECONDED: DILL  
APPROVED: UNANIMOUS

- C. Discussion and action to terminate the Tax Increment Financing administration services of Mark Stein, Stein Planning, LLC for the Reinvestment Zone #1.**

**MOTION: TERMINATE THE TAX INCREMENT FINANCING ADMINISTRATION SERVICES OF MARK STEIN, STEIN PLANNING, LLC FOR THE REINVESTMENT ZONE #1 AND DIRECT STAFF TO TAKE APPROPRIATE NOTIFICATION STEPS AS PRESCRIBED IN THE PROFESSIONAL SERVICES CONTRACT.**

MOTION MADE: WRIGHT  
SECONDED: COOK  
APPROVED: UNANIMOUS

- D. Discussion and action regarding Resolution No. 2019-11-07 authorizing the Mayor to sign a professional services agreement with P-3 Works, LLC for PID Administration Services and Tax Increment Reinvestment Zone (“TIRZ”) Creation and Administration Services for the Heritage PID #1 (Residential) and the Reinvestment Zone #1 respectively.**

Ms. Dobbs introduced Kyle Sikorski, P-3 Works, LLC. Mr. Sikorski stated that P-3 Works, LLC was pleased to work with the City of Lavon to coordinate the approach to the two Grand Heritage related entities.

**MOTION: APPROVE RESOLUTION NO. 2019-11-07 AUTHORIZING THE MAYOR TO SIGN A PROFESSIONAL SERVICES AGREEMENT WITH P-3 WORKS, LLC FOR PID ADMINISTRATION SERVICES AND TAX INCREMENT REINVESTMENT ZONE (“TIRZ”) CREATION AND ADMINISTRATION SERVICES FOR THE HERITAGE PID #1 (RESIDENTIAL) AND THE REINVESTMENT ZONE #1 RESPECTIVELY.**

MOTION MADE: WRIGHT  
SECONDED: COOK  
APPROVED: UNANIMOUS

- E. Discussion and action regarding the reorganization and appointment of the Tax Increment Reinvestment Zone (TIF) Board.**

Ms. Dobbs reviewed the board information and relayed that the city attorney and P-3 Works consultants recommended that the members of the City Council be appointed to serve as the Reinvestment Zone No. 1 (TIF) Board with the Mayor appointed as an ex officio member of the Board and that the terms would run concurrently with the terms of elected office.

**MOTION: REORGANIZE AND APPOINT THE VOTING MEMBERS OF THE CITY COUNCIL TO THE REINVESTMENT ZONE NO. 1 (TIF) BOARD WITH TERMS TO RUN CONCURRENTLY WITH THE ELECTED PLACES AND TERMS OF OFFICE.**

MOTION MADE: SERKLAND  
SECONDED: KELL  
APPROVED: UNANIMOUS

- F. Discussion and action to nominate and appoint a Mayor Pro-Tempore for a term that expires in November 2020.**

Councilmember Kay Wright announced that she had enjoyed being the Mayor Pro-Tem for the last year and would be happy to serve again. Mayor Sanson asked if any other City Councilmembers wished to be considered and no one volunteered.

**MOTION: APPOINT KAY WRIGHT TO SERVE AS MAYOR PRO-TEMPORE FOR A TERM THAT EXPIRES IN NOVEMBER 2020.**

MOTION MADE: SERKLAND  
SECONDED: DILL  
APPROVED: UNANIMOUS

**G. Discussion and action regarding the appointment of the Municipal Court Judge.**

**MOTION: APPOINT ANDREW LEONI AS THE MUNICIPAL COURT JUDGE FOR LAVON, TEXAS FOR A TERM TO EXPIRE IN NOVEMBER OF 2021.**

MOTION MADE: DILL  
SECONDED: SERKLAND  
APPROVED: UNANIMOUS

**H. Discussion and action regarding the appointment of an Associate Municipal Court Judge.**

**MOTION: APPOINT JOHN BROWNING AS THE ASSOCIATE MUNICIPAL COURT JUDGE FOR LAVON, TEXAS FOR A TERM TO EXPIRE IN NOVEMBER 2021.**

MOTION MADE: SERKLAND  
SECONDED: KELL  
APPROVED: UNANIMOUS

**I. Discussion and action regarding board and commission appointments-Parks and Recreation Board.**

Ms. Dobbs noted that the volunteers in the two positions with expiring terms expressed a desire for reappointment and noted there were no volunteer applications to consider for the Alternate position.

**MOTION: REAPPOINT KELLY TURK TO SEAT 2 AND BRAD TIEGS TO SEAT 4 OF THE PARKS AND RECREATION BOARD.**

MOTION MADE: WRIGHT  
SECONDED: SERKLAND  
APPROVED: UNANIMOUS

**11. STAFF REPORTS**

- A. Police Services** – Police Chief Mike Jones provided information and referenced the reports regarding traffic stops, calls for service and call breakout information and monthly reserve participation. Chief Jones advised that the parking violations warning notices achieved the desired result with a decline in parking violations. Chief Jones explained that chronic violators who have received numerous warnings will be ticketed. Chief Jones further noted that the Community Relations report would be included in next month reports.
- B. Fire Services** – Fire Chief Danny Anthony detailed the call report and provided an update on the installation of the new Cascade System and receipt of the new radios. Chief Anthony provided a follow up report regarding the November 5 accident and expressed the impact it had on him personally and the embers of the Fire Department. Chief Anthony expressed appreciation for the care and support he received from City Administrator Kim Dobbs. He stated that Ms. Dobbs researched and made sure his department was offered counseling support and encouraged them to take steps to obtain appropriate help. Chief Jones added that the counseling received as well as the support from city administration was much needed and greatly appreciated.
- C. Public Works** – Director of Public Works Sonny Mancias provided a report regarding general public works and street maintenance including mowing and trash collection and the sewer plant expansion. Mr. Mancias reported on the construction status of the wastewater treatment plant expansion, Crestridge Meadows, Lavon Farms, Traditions Phase 2, Presidents Rd. Bridge and LakePointe developments.
- D. Administration** – Ms. Dobbs referenced and offered to answer questions regarding the reports provided in the meeting packet including the Financial Outlooks; Building Permits Report; CWD Recycling Reports; Sales Tax Report and the TxDOT SH 205 Status Report. Ms. Dobbs noted specifically that the quarterly Investment Report was presented in accordance with the City's Investment Policy. Ms. Serkland advised she had received complaints regarding CWD and wanted to ensure an acceptable level of services. Ms. Dobbs requested that any complaints be referred to City Hall staff so that they could be logged and monitored. Mr. Kell asked who the two commercial

permits were for and Ms. Dobbs replied she would check and get back to the City Council with the information.

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

- December 3, 2019 Regular City Council Meeting
- December 6, 2019 Annual Christmas Tree Lighting 6:00 p.m.
- December 17, 2019 Regular City Council Meeting canceled

**8. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 8:45 P.M.**

**DULY PASSED and APPROVED** by the City Council of Lavon, Texas, on this 3<sup>th</sup> day of December 2019.



Vicki Sanson  
Mayor

**ATTEST:**



Kim Dobbs  
City Administrator/City Secretary

