



MINUTES
MARCH 3, 2020
LAVON CITY COUNCIL
REGULAR MEETING – EXECUTIVE SESSION
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS
6:00 P.M.

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 (arrived at 7:36)

1. MAYOR SANSON CALLED THE MEETING TO ORDER AT 6:02 P.M. AND ANNOUNCED A QUORUM PRESENT.

2. MAYOR SANSON LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND THE INVOCATION.

3. CITIZENS COMMENTS

Rick Mann, 831 PR 5397, requested to be on the City Council agenda regarding a hydrology study and update regarding the drainage related to Lake Shadow Dr.

4. EXECUTIVE SESSION

At 6:06 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.

- 1) Section 551.071 Consultation with Attorney regarding the (i) Abston Hills Development and (ii) Grand Heritage Development.

5. RECONVENE FROM EXECUTIVE SESSION

In accordance with Texas Government Code, Section 551.001, et seq., Mayor Sanson reconvened the meeting at 7:36 p.m. and stated that no action was taken in executive session.

6. ITEMS OF INTEREST/COMMUNICATIONS

- Breakfast with the Bunny, April 4, 2020
- LEDC Small Business Bazaar, April 18, 2020
- CWD Xtreme Green April 25, 2020

7. TAX INCREMENT REINVESTMENT ZONE (TIF) BOARD

Presentation of, discussion and action regarding Resolution No. TIF-2020-03-01 authorizing the Mayor to sign and file the Annual Report for Tax Reinvestment Zone Number One (TIF) for the Fiscal Year Ended September 30, 2019.

Mayor Sanson recessed the regular meeting to seat the Tax Increment Reinvestment Zone No. One Board. Mary Petty, P3Works presented a draft Annual Report for the reinvestment zone. Ms. Petty informed the council that this was a draft document and may change slightly pending the final annual audit of the City's financial statements. City Administrator Kim Dobbs stated that once the document is finalized, it will be sent to the State Comptroller and all taxing jurisdictions within the zone in accordance with state law.

MOTION: APPROVE RESOLUTION NO. TIF-2020-03-01 AUTHORIZING THE MAYOR TO SIGN AND FILE THE ANNUAL REPORT FOR TAX REINVESTMENT ZONE NUMBER ONE (TIF) FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2019.

MOTION MADE: WRIGHT
SECONDED: KELL
APPROVED: UNANIMOUS

The Mayor reconvened the regular city council meeting.

8. CONSENT AGENDA

A. Approve the minutes of the February 18, 2020 meeting.

MOTION: APPROVE THE CONSENT AGENDA.

MOTION MADE: SERKLAND
SECONDED: COOK
APPROVED: UNANIMOUS

9. ITEMS FOR CONSIDERATION

A. Open the public hearing that was continued from February 4, 2020 and announce that the applicant has withdrawn the application for a zoning change from Temporary Agricultural (A) to Planned Development – Mixed Use (PD-MU) zoning district for mixed uses consisting of single family residential with a density of 89 lots on 34 acres and retail uses on 25 acres described as Samuel M. Rainier Survey, Abstract No. 740, (CCAD Property ID 2152129), southwest of the intersection of SH 78 and FM 6, Collin County, Texas, requested by Lavon 678 Development, LLC.

Presentation of request.

Ms. Dobbs provided an update regarding the withdrawn application dated November 2019.

PUBLIC HEARING to receive comments regarding the request.

Mayor Sanson opened the continued public hearing at 7:46 p.m. and invited comments in favor of or opposition to the request. There being no comments, Mayor Sanson closed the public hearing at 7:46 p.m.

The Council took no action.

B. Public hearing, discussion and action regarding the application for a conditional use permit to construct a 960 sq. ft addition to existing accessory structures of 1320 sq ft, 317 sq ft greater than permitted at 720 Lake Vista Ln., Block “B, Lot 9, Lakeridge Meadows, CCAD Property ID 2092067, Lavon, Collin County, Texas, requested by William A. Rinks.

Presentation of request.

Ms. Dobbs provided information regarding the location and application and further advised that the homeowner will be removing the 8x8 shed that is currently on the property prior to constructing the accessory addition. Ms. Dobbs reported that on February 25, 2020 the Planning and Zoning Commission recommended approval subject to the removal of the existing 8x8 structure. Ms. Dobbs noted that eight (8) notices were mailed to residents within 200 feet of the property with three (3) notices returned in favor of the request.

PUBLIC HEARING to receive comments regarding the request.

Mayor Sanson opened the public hearing at 7:50 p.m. and invited comments. Claude Michael, 725 Lake Vista Ln., spoke in favor of the request. There being no further comments Mayor Sanson closed the public hearing at 7:52 p.m.

MOTION: APPROVE THE APPLICATION FOR A CONDITIONAL USE PERMIT TO CONSTRUCT A 960 SQ. FT ADDITION TO EXISTING ACCESSORY STRUCTURES OF 1320 SQ FT, 317 SQ FT GREATER THAN PERMITTED, SUBJECT TO REMOVAL OF AN EXISTING 8X8 SHED, AT 720 LAKE VISTA LN., BLOCK B, LOT 9, LAKERIDGE MEADOWS, CCAD PROPERTY ID 2092067, LAVON, COLLIN COUNTY, TEXAS.

MOTION MADE: WRIGHT

SECONDED: COOK
APPROVED: UNANIMOUS

- C. Discussion and action regarding establishing a curfew for minors and parental responsibility; setting the hours of curfew for minors; providing for affirmative defenses to prosecution; providing a penalty not to exceed five hundred dollars (\$500.00) for each offense; providing severability and providing an effective date.**

Presentation of request.

Ms. Dobbs provided information regarding the curfew and explained that this would be the first of two public hearings. Police Chief Mike Jones added that warnings are employed to gain voluntary compliance and that no tickets have been written for curfew violations since August 2019.

PUBLIC HEARING to regarding the request.

Mayor Sanson opened the public hearing at 7:55 p.m. and invited comments for or against the request. Chief Jones spoke in favor of the curfew. There being no further comments Mayor Sanson closed the public hearing at 7:55 p.m.

No action was taken by the City Council. Ms. Dobbs announced the second public hearing would occur at the March 17, 2020 meeting.

- D. Discussion regarding an update to the Personnel Policies and Procedures.**

Ms. Dobbs provided background and distributed draft Personnel Policies and Procedures to the Council for their review. Ms. Dobbs suggested that an action item would be scheduled after the City Council had time to review and comment on the draft document.

- E. Discussion and action regarding Board and Commission Appointments.**

Ms. Dobbs provided an update regarding open positions on the Lavon Economic Development Commission, Planning & Zoning Commission and Parks & Recreation Board. Staff was directed to post an invitation for volunteer applications on social media.

10. BOARD OF ADJUSTMENT

Mayor Sanson recessed the regular meeting and seated the Council as the Board of Adjustment at 8:00 p.m.

Public hearing, discussion and action regarding the application of Michael and Marie Smith for a variance to the area requirements of Planned Development Ordinance No. 2004-09-05, Section 3.6.1.4, Rear Yard Setback that provides for a minimum building setback of three feet (3') for an accessory structure to allow a pad site near the property line and a structure placed within one foot (1') of the property line on Block A, Lot 32, Traditions at Grand Heritage (Collin CAD #2743451) at 649 Weston Way, Lavon, TX.

Presentation of request.

Ms. Dobbs provided information regarding the request for a variance and advised that the owners of the affected property located within 200 feet of the site had been mailed notice of the public hearing. Applicant Mike Smith described the building and plans for drainage of the building area and explained why following the ordinance would create a hardship.

PUBLIC HEARING to receive comments regarding the request.

Mayor Sanson opened the public hearing at 8:04 p.m. and invited comments in favor or opposition to the proposed variance. Ms. Dobbs answered questions regarding the application process. There being no comments, Mayor Sanson closed the public hearing at 8:08 p.m.

Discussion and action regarding the request.

Ms. Dobbs noted that seventeen notices were mailed and no responses were returned. Mayor Sanson asked if there were any plans for gutters on the building and Mr. Smith stated that no gutters were planned but the roof pitch would allow the water to run North/South so that it would only run off onto his property and not

the adjacent properties keeping the same flow as prior to the building. The Board reviewed the findings related to the granting of a variance.

MOTION: GRANT A VARIANCE TO THE REQUIREMENTS OF THE CODE OF ORDINANCES SECTION 3.6.1.4, REAR YARD SETBACK THAT PROVIDES FOR A MINIMUM BUILDING SETBACK OF 3 FEET (3') FOR AN ACCESSORY STRUCTURE TO ALLOW A PAD SITE NEAR THE PROPERTY LINE AND A STRUCTURE WITHIN ONE FOOT (1') OF THE PROPERTY LINE ON BLOCK A, LOT 32, TRADITIONS AT GRAND HERITAGE (COLLIN CAD #2743451) AT 649 WESTON WAY, LAVON, TX.

MOTION MADE: KELL

SECONDED: WRIGHT

APPROVED: UNANIMOUS

Mayor Sanson reconvened the regular City Council meeting.

11. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS.

- March 17, 2020 7 p.m. Regular City Council Meeting

12. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 8:11 P.M.

DULY PASSED and APPROVED by the City Council of Lavon, Texas, on this 17th day of March 2020.



Vicki Sanson
Mayor

ATTEST:



Kim Dobbs
City Administrator/City Secretary

