



**MINUTES
JULY 6, 2021
LAVON CITY COUNCIL
REGULAR MEETING**

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

1. **MAYOR SANSON CALLED THE MEETING TO ORDER AT 6:41 P.M. AND ANNOUNCED A QUORUM PRESENT.**
2. **MAYOR SANSON LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND DELIVERED THE INVOCATION.**
3. **PRESENTATION-FINANCIAL STATEMENTS**

Presentation of the 2020 Financial Statements and Independent Audit Report was deferred to the July 20, 2021 City Council Meeting.

4. **CITIZENS COMMENTS**

There were none.

5. **ITEMS OF INTEREST/COMMUNICATIONS**

LEDC coupon program has completed with an estimated \$14,000 provided in reimbursements.

6. **CONSENT AGENDA**

- a. **Approve the minutes of the June 15, 2021 meeting.**
- b. **Approve Resolution No. 2021-07-01 declaring various fire department property and equipment to be surplus and authorizing the disposition of same in a manner which is beneficial to the City.**
- c. **Approve Resolution No. 2021-07-02 approving and authorizing the Mayor to execute a quitclaim deed for a portion of the sanitary sewer easement recorded in Instrument Number 20071017001427280, Official Public Records of Collin County, Texas.**

MOTION: APPROVE THE CONSENT AGENDA.

MOTION MADE: WRIGHT
SECONDED: SERKLAND
APPROVED: UNANIMOUS (Absent: Kell, Dill)

7. **ITEMS FOR CONSIDERATION**

- E. **Discussion, and action regarding Resolution No. 2021-07-03 approving the recommendation of the Selection Review Committee to award Traylor & Associates, Inc. for administrative services in conjunction with the submittal of an application for funding through the 2021 Hazard Mitigation Grant Program for DR-4586 February Winter Weather to provide application preparation, project administration, and project-related management services, if awarded.**

City Administrator Kim Dobbs provided information regarding the submittals and recommended Traylor & Associates, Inc. be selected for administrative services.

MOTION: APPROVE RESOLUTION NO. 2021-07-03 APPROVING THE RECOMMENDATION OF THE SELECTION REVIEW COMMITTEE TO AWARD TRAYLOR & ASSOCIATES, INC. FOR ADMINISTRATIVE SERVICES IN CONJUNCTION WITH THE SUBMITTAL OF AN APPLICATION FOR FUNDING THROUGH THE 2021 HAZARD MITIGATION GRANT

PROGRAM FOR DR-4586 FEBRUARY WINTER WEATHER TO PROVIDE APPLICATION PREPARATION, PROJECT ADMINISTRATION, AND PROJECT-RELATED MANAGEMENT SERVICES.

MOTION MADE: WRIGHT
SECONDED: COOK
APPROVED: UNANIMOUS (Absent: Kell, Dill)

- F. Discussion and action regarding Resolution No. 2021-07-04 approving the recommendation of the Selection Review Committee to award Freeman-Millican, Inc. for engineering services in conjunction with the submittal of an application for funding through the 2021 Hazard Mitigation Grant Program for DR-4586 February Winter Weather to provide application preparation and project implementation, if awarded.**

City Administrator Kim Dobbs provided information regarding the submittals and recommended the selection of Freeman-Millican, Inc. for engineering services in conjunction with the submittal of an application for funding through the 2021 Hazard Mitigation Grant Programs for DR-4586 February Winter Weather application and preparation.

MOTION: APPROVE RESOLUTION NO. 2021-07-04 APPROVING THE RECOMMENDATION OF THE SELECTION REVIEW COMMITTEE TO AWARD FREEMAN-MILLICAN, INC. FOR ENGINEERING SERVICES IN CONJUNCTION WITH THE SUBMITTAL OF AN APPLICATION FOR FUNDING THROUGH THE 2021 HAZARD MITIGATION GRANT PROGRAM FOR DR-4586 FEBRUARY WINTER WEATHER TO PROVIDE APPLICATION PREPARATION AND PROJECT IMPLEMENTATION.

MOTION MADE: WRIGHT
SECONDED: SERKLAND
APPROVED: UNANIMOUS (Absent: Kell, Dill)

- G. Discussion, and action regarding the Resolution No. 2021-07-05 approving and authorizing the Mayor to execute a Municipal Services Agreement with Collin County, for the purpose of offering municipal services for property consisting of 2.39 acres situated in the W.H. Moore Survey, A-0638, Tract 27 near 1009 S. SH 78, north and west of the intersection of SH 205 and SH 78, (CCAD Prop ID 2632625), and the portion of SH 78 and the right-of-way adjacent to and abutting the property to be voluntarily annexed into the corporate limits of the City of Lavon, Texas; and calling for a public hearing.**

Ms. Dobbs provided information regarding the proposed voluntary annexation and Municipal Services Agreement.

MOTION: APPROVE THE RESOLUTION NO. 2021-07-05 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A MUNICIPAL SERVICES AGREEMENT WITH COLLIN COUNTY, FOR THE PURPOSE OF OFFERING MUNICIPAL SERVICES FOR PROPERTY CONSISTING OF 2.39 ACRES SITUATED IN THE W.H. MOORE SURVEY, A-0638, TRACT 27 NEAR 1009 S. SH 78, NORTH AND WEST OF THE INTERSECTION OF SH 205 AND SH 78, (CCAD PROP ID 2632625), AND THE PORTION OF SH 78 AND THE RIGHT-OF-WAY ADJACENT TO AND ABUTTING THE PROPERTY TO BE VOLUNTARILY ANNEXED INTO THE CORPORATE LIMITS OF THE CITY OF LAVON, TEXAS; AND CALLING FOR A PUBLIC HEARING.

MOTION MADE: WRIGHT
SECONDED: COOK
APPROVED: UNANIMOUS (Absent: Kell, Dill)

- H. Discussion, and action regarding Ordinance No. 2021-07-05 amending the fee schedule to adjust the land use fees approved and adopted by Ordinance No. 2020-09-05 as amended for the fiscal year October 1, 2020 through September 30, 2021 and providing an effective date.**

Ms. Dobbs provided information regarding the proposed change to the fee schedule.

MOTION: APPROVE ORDINANCE NO. 2021-07-05 AMENDING THE FEE SCHEDULE TO ADJUST THE LAND USE FEES APPROVED AND ADOPTED BY ORDINANCE NO. 2020-09-05 AS AMENDED FOR THE FISCAL YEAR OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021 AND PROVIDING AN EFFECTIVE DATE.

MOTION MADE: WRIGHT
SECONDED: SERKLAND
APPROVED: UNANIMOUS (Absent: Kell, Dill)

I. Discussion and action regarding orders and regulations, programming, city facilities and operations related to COVID-19.

Ms. Dobbs provided an update regarding the American Rescue Plan Act (ARPA) and anticipated stimulus funds for the City; reviewed Collin County case information.

J. Discussion and action regarding Board and Commission appointments – International Fire Code (IFC) Building Board of Appeals.

Ms. Dobbs reviewed the volunteer openings and shared applications for board positions.

MOTION: APPOINT DAMON SERKLAND TO THE UNEXPIRED TERM FOR SEAT 1 OF THE IFC BUILDING BOARD OF APPEALS.

MOTION MADE: WRIGHT
SECONDED: COOK
APPROVED: UNANIMOUS (Absent: Kell, Dill)

A. Public hearing, discussion, and action regarding the property owner's petition for the voluntary annexation of 2.9647 acres described as W.A.S Bohannan Survey, Abstract No. 0121, Tract 19 (CCAD Property ID 2671476), southwest of the intersection of SH 205 and Endeavor Drive, and the portion of SH 205, and the right-of-way adjacent to and abutting the property, Collin County, Texas.

Presentation of the request.

City Administrator Kim Dobbs provided information regarding the pending annexation petition and process, the zoning district classifications, and future land use plan. Property owner Robert McGaughey, Jr., President, DPB Investments, provided information regarding the history of the property and the intended plans.

PUBLIC HEARING to receive comments regarding the request.

Mayor Sanson opened the public hearing at 7:08 p.m. and invited comments for or against the proposed conditional use permit. Property owner representative, Gerald Porter, provided information regarding the possible uses for the property. There being no further comments, Mayor Sanson closed the hearing at 7:10 p.m.

Discussion and action regarding the request.

Ms. Dobbs provided additional information and answered questions.

MOTION: APPROVE ORDINANCE NO. 2021-07-01 ANNEXING 2.9647 ACRES DESCRIBED AS W.A.S BOHANNAN SURVEY, ABSTRACT NO. 0121, TRACT 19 (CCAD PROPERTY ID 2671476), SOUTHWEST OF THE INTERSECTION OF SH 205 AND ENDEAVOR DRIVE, AND THE PORTION OF SH 205, AND THE RIGHT-OR-WAY ADJACENT TO AND ABUTTING THE PROPERTY, COLLIN COUNTY, TEXAS.

MOTION MADE: SERKLAND
SECONDED: COOK
APPROVED: UNANIMOUS (Absent: Kell, Dill)

B. Public hearing, discussion, and action regarding an application for a zoning change from Temporary Agricultural (A) to Retail (R) zoning district on 2.9647 acres described as W. A. S.

Bohannan Survey, Abstract No. 0121, Tract 19 (CCAD Property ID 2671476), southwest of the intersection of SH 205 and Endeavor Drive, requested by DPB Investments.

Presentation of the request.

Ms. Dobbs provided information regarding the application for zoning change.

PUBLIC HEARING to receive comments regarding the request.

Mayor Sanson opened the public hearing at 7:14 p.m. and invited comments for or against the proposed zoning change. There being no comments, Mayor Sanson closed the hearing at 7:14 p.m.

Discussion and action regarding the request.

MOTION: APPROVE ORDINANCE NO. 2021-07-02 AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF LAVON, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING DISTRICT FROM TEMPORARY AGRICULTURAL (A) TO RETAIL (R) ZONING DISTRICT ON A 2.9647-ACRE TRACT OF LAND, LOCATED SOUTHWEST OF THE INTERSECTION OF ENDEAVOR AND SH 205 AND MORE PARTICULARLY DESCRIBED HEREIN, IN THE CITY OF LAVON, COLLIN COUNTY, TEXAS REQUESTED BY DPB INVESTMENTS.

MOTION MADE: SERKALND
SECONDED: WRIGHT
APPROVED: UNANIMOUS (Absent: Kell, Dill)

- C. Discussion and action regarding Ordinance No. 2021-07-03 authorizing the sale of beer and wine for off-premise consumption pursuant to the authority of Texas Alcoholic Beverage Code, Section 251.725 on 2.9647 acres described as W. A. S. Bohannan Survey, Abstract No. 0121, Tract 19 (CCAD Property ID 2671476), southwest of the intersection of SH 205 and Endeavor Drive; providing for a severability clause; providing for an effective date.**

Ms. Dobbs provided information regarding the authorization of off-premise beer and wine sales.

MOTION: APPROVE ORDINANCE NO. 2021-07-03 AUTHORIZING THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION PURSUANT TO THE AUTHORITY OF TEXAS ALCOHOLIC BEVERAGE CODE, SECTION 251.725 ON 2.9647 ACRES DESCRIBED AS W. A. S. BOHANNAN SURVEY, ABSTRACT NO. 0121, TRACT 19 (CCAD PROPERTY ID 2671476), SOUTHWEST OF THE INTERSECTION OF SH 205 AND ENDEAVOR DRIVE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

MOTION MADE: WRIGHT
SECONDED: SERKLAND
APPROVED: UNANIMOUS (Kell, Dill)

- D. Public hearing, discussion, and action regarding an amendment to the City of Lavon Code of Ordinances, Article 9.03 Zoning Ordinance, Section 9.03.132 Main Street District (M) to revise the area requirements related to minimum lot area and building placement, orientation and site design related to sidewalk width.**

Presentation of the request.

Ms. Dobbs provided information regarding the request.

PUBLIC HEARING to receive comments regarding the request.

Mayor Sanson opened the public hearing at 7:23 p.m. and invited comments for or against the proposed zoning change. There being no comments, Mayor Sanson closed the hearing at 7:24 p.m.

Discussion and action regarding the request.

MOTION: APPROVE ORDINANCE NO. 2021-07-04 AMENDING ARTICLE 9.03 ZONING ORDINANCE, SECTION 9.03.132 MAIN STREET DISTRICT (M) OF THE CODE OF ORDINANCES TO REVISE THE AREA REQUIREMENTS RELATED TO MINIMUM LOT

SIZE AND BUILDING PLACEMENT, ORIENTATION AND SITE DESIGN RELATED TO SIDEWALK WIDTH.

MOTION MADE: WRIGHT
SECONDED: COOK
APPROVED: UNANIMOUS (Kell, Dill)

8. EXECUTIVE SESSION

At 7:49 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: (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 the Texas Open Meetings Act regarding (i) an agreement for the provision of municipal services in an unincorporated area; and (ii) Elevon Development Agreement.

9. RECONVENE INTO REGULAR SESSION

In accordance with Texas Government Code, Section 551.001, et. Seq., Mayor Sanson reconvened the meeting at 8:33 p.m. and took no action.

10. BUDGET WORK SESSION

Discussion regarding the regulatory requirements, financial status for current fiscal year, budget calendar, anticipated commitments, departmental service levels, fee schedule, and projected needs for FY 2021-22.

11. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS.

July 20, 2021 - Regular Meeting

12. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 8:34 P.M.

DULY PASSED and APPROVED by the City Council of Lavon, Texas, on this 20th day of July 2021.



Vicki Sanson, Mayor

ATTEST:



Rae Norton, City Secretary

