



**MINUTES
AUGUST 17, 2021
LAVON CITY COUNCIL
REGULAR MEETING
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS
6:00 P.M.**

ATTENDING: VICKI SANSON, MAYOR
JOHN KELL, PLACE 1
MIKE COOK, PLACE 2 (Arrived at 6:14)
KAY WRIGHT, MAYOR PRO TEM, PLACE 3
TED DILL, PLACE 4
MINDI SERKLAND, PLACE 5

1. **MAYOR SANSON CALLED THE MEETING TO ORDER AT 6:00 P.M. AND ANNOUNCED A QUORUM PRESENT.**
2. **MR. BRUCE CLARK, LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND DELIVERED THE INVOCATION.**

City Administrator Kim Dobbs requested that the Consent Agenda be taken out of order to allow Eva Hummel, Atmos Energy, to answer questions, if any.

7. **CONSENT AGENDA**

- A. **Approve the minutes of the August 3, 2021 meeting.**
- B. **Approve Resolution No. 2021-08-05 approving a Negotiated Settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the company’s 2021 rate review mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC’s reasonable ratemaking expenses; determining that this Resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the company and the ACSC’s legal counsel .**
- C. **Approve Resolution No. 2021-08-06 approving and authorizing the Mayor to execute a contract with the Collin County Elections Administrator for Election Services related to the City’s November 2, 2021 General Election.**
- D. **Approve Resolution No. 2021-08-07 authorizing the Mayor to execute a Letter of Engagement with Mike Ward Accounting and Financial Consulting, PLLC for the audit and preparation of the city’s financial statements for the fiscal year ending September 30, 2021.**

MOTION: APPROVE THE CONSENT AGENDA.

MOTION MADE: DILL

SECONDED: KELL

APPROVED: UNANIMOUS (Absent-Cook)

3. **WORK SESSION – BUDGET AND CAPITAL IMPROVEMENTS PLAN**

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

Ms. Dobbs provided information regarding budget requests, anticipated commitments, departmental services levels, fee schedule, projections and needs as well as current and proposed tax rate. The City

Council directed that funding be allocated for the potential preparation of a highway beatification grant application.

B. Discussion regarding the Five-Year Capital Improvements Plan (CIP) for Fiscal Years 2021 to 2025.

Mark Hill, Freeman Millican, LLC, provided updates to the current and future Capital Improvements Plan (CIP).

4. PROCLAMATIONS

Mayor Sanson presented Proclamations for Hunger Action Month 2021 and National Preparedness Month 2021.

5. CITIZENS COMMENTS

There were no citizens comments.

6. ITEMS OF INTEREST/COMMUNICATIONS

- Community ISD begins school on Wednesday, August 18, 2021
- North Texas Food Bank Peanut Butter Drive runs from September 1-30, 2021
- NCTCOG Virtual Meeting August 24, 2021 at 6 pm.

8. ITEMS FOR CONSIDERATION

A. Discuss, the proposed tax rate and conduct a record vote to call a public hearing for September 7, 2021 at 7:00 p.m.

The City Council discussed the general fund, interest and sinking fund and utility fund, no-new-revenue, voter-approval and de minimis tax rates. Ms. Dobbs stated that required notices will be published in the newspaper and on the City's website.

MOTION: CALL A PUBLIC HEARING ON THE PROPOSED TAX RATE OF 0.478956 FOR SEPTEMBER 7, 2021 AT 7:00 P.M. AND PUBLISH APPROPRIATE PUBLIC NOTICES.

MOTION MADE: SERKLAND
SECONDED: WRIGHT
APPROVED: UNANIMOUS

As required by state law, a record vote was taken:

PLACE 1-JOHN KELL	FOR
PLACE 2-MIKE COOK	FOR
PLACE 3-KAY WRIGHT	FOR
PLACE 4-TED DILL	FOR
PLACE 5-MINIDI SERKLAND	FOR

B. Discussion and action regarding Resolution No. 2021-08-08 declaring that the current number of inhabitants of the City of Lavon exceeds five thousand (5,000) and providing an effective date.

Ms. Dobbs provided information regarding Section 42.021 of the Texas Local Government Code that provides in part, that the extraterritorial jurisdiction (ETJ) of a municipality is the unincorporated area that is contiguous to the corporate boundaries and that is located within one (1) mile of those boundaries in the case of a municipality with 5,000 to 24,999 inhabitants.

MOTION: APPROVE RESOLUTION NO. 2021-08-08 DECLARING THAT THE CURRENT NUMBER OF INHABITANTS OF THE CITY OF LAVON EXCEEDS FIVE THOUSAND (5,000) AND PROVIDING AN EFFECTIVE DATE.

MOTION MADE: KELL
SECONDED: DILL
APPROVED: UNANIMOUS

C. Discussion and action regarding Resolution No. 2021-08-09 adopting a Paid Quarantine Leave policy for First Responders.

Ms. Dobbs provided information regarding the recently adopted House Bill 2073 and proposed policy.

MOTION: APPROVE RESOLUTION NO. 2021-08-09 ADOPTING A PAID QUARANTINE LEAVE POLICY FOR FIRST RESPONDERS.

MOTION MADE: SERKLAND
SECONDED: WRIGHT
APPROVED: UNANIMOUS

D. Discussion and action regarding Ordinance No. 2021-08-07 amending Article 11.03.003 PARKING OFFENSES of the City of Lavon Code of Ordinances regarding on street parking offenses.

Police Chief Mike Jones provided information regarding code enforcement and safety complaints and concerns related to parking.

MOTION: APPROVE ORDINANCE NO. 2021-08-07 AMENDING ARTICLE 11.03.003 PARKING OFFENSES OF THE CITY OF LAVON CODE OF ORDINANCES REGARDING ON STREET PARKING OFFENSES.

MOTION MADE: DILL
SECONDED: COOK
APPROVED: UNANIMOUS

E. Discussion and action regarding Ordinance No. 2021-08-08 amending Article 11.02.032 SCHOOL ZONES of the City of Lavon Code of Ordinances to extend the school zone on Presidents Blvd. for NeSmith Elementary School.

Chief Jones provided information regarding the anticipated traffic from new development south of NeSmith Elementary.

MOTION: APPROVE ORDINANCE NO. 2021-08-08 AMENDING ARTICLE 11.02.032 SCHOOL ZONES OF THE CITY OF LAVON CODE OF ORDINANCES TO EXTEND THE SCHOOL ZONE ON PRESIDENTS BLVD. FOR NESMITH ELEMENTARY SCHOOL.

MOTION MADE: DILL
SECONDED: KELL
APPROVED: UNANIMOUS

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

Ms. Dobbs provided information regarding open facilities implementation, programming, and city programs.

9. DEPARTMENT REPORTS

- A. Police Services** –Chief Jones provided information and referenced the provided reports regarding traffic stops, calls for service, call breakout information and provided information regarding the Police Support Program and Coffee with Cops.
- B. Fire Services** –Fire Chief Danny Anthony provided the LVFD call report which indicated 41 calls and updates on the temporary station expansion.
- C. Public Works** – Public Works Director David Carter provided general information regarding public works, street maintenance including mowing and trash collection, and code enforcement. Mr. Carter reviewed recent street repairs and the new generator installed at the Orbit lift station.
- D. Construction/Project Management**- There was no discussion.
- E. Administration** – Ms. Dobbs directed the Council to reports in the meeting packet regarding the Building Permits Report; CWD Report; Collin County Monthly Tax Collection Report, Financial

Report; Sales Tax Report; Comprehensive Plan Update Report; TxDOT SH 205 Report; and general staff reports.

10. EXECUTIVE SESSION

At 7:56 p.m., in accordance with the Texas Government Code, Chapter 551, Subchapter D, the City Council may recess into Executive Session (closed meeting) pursuant to 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 of the State Bar of Texas clearly conflicts with this chapter for the provision of municipal services in an unincorporated area; and Section 551.074 - Personnel matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; or hear a complaint or charge against an officer or employee – City Administrator.

11. RECONVENE INTO REGULAR SESSION

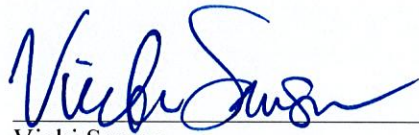
In accordance with Texas Government Code, Section 551.001, et. Seq., Mayor Sanson reconvened the meeting at 8:35 p.m. and stated that no action was taken in Executive Session. No action was taken subsequent to the Executive Session.

12. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS.

- August 31, 2021 – Special Meeting – Virtual at 6:00 p.m.
- September 7, 2021 Regular Meeting – Public Hearing and Action regarding Tax Rate and Budget.


13. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 8:38 P.M.

DULY PASSED and APPROVED by the City Council of Lavon, Texas, on this 7th day of September 2021.



Vicki Sanson
Mayor

ATTEST:



Rae Norton
City Secretary

