



MINUTES
JUNE 7, 2022
LAVON CITY COUNCIL
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS
REGULAR MEETING
7:00 PM

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

1. MAYOR SANSON CALLED THE MEETING TO ORDER AT 7:03 P.M. AND ANNOUNCED A QUORUM PRESENT.

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

3. EXECUTIVE SESSION

At 7:05p.m. in accordance with Texas Government Code, Chapter 551, Subchapter D, the Mayor recessed into Executive Session (closed meeting) pursuant to 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 – Home Rule Charter Commission.

4. RECONVENE INTO REGULAR SESSION

In accordance with Texas Government Code, Section 551.001, et seq., Mayor Sanson reconvened the meeting at 7:14 p.m. and stated that no action was taken in executive session.

5. ITEMS OF INTEREST/COMMUNICATIONS

Camp 911 June 8, 2022, Babysitter Club Training June 15-16, 2022, and Boyd Farm Free Concert - June 11,

6. CITIZENS COMMENTS

There were none.

7. PROCLAMATION

Mayor Sanson and the City Council presented a proclamation in celebration of Juneteenth.

8. CONSENT AGENDA

A. Approve the minutes of the May 17, 2022, meeting.

B. Approve Resolution No. 2022-06-01 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, 2022.

MOTION: APPROVE THE CONSENT AGENDA.

MOTION MADE: WRIGHT

SECONDED: DILL

APPROVED: UNANIMOUS (Absent: Kell, Cook)

9. ITEMS FOR CONSIDERATION

A. Discussion, and action regarding the replat of Meadow Creek Estates, Lots 32/33R-1 & 32/33R-2, Block B to move lot lines at 11177 Mason Dr., Collin County, TX (CCAD Property IDs 1961412 and 1961413).

City Administrator Kim Dobbs provided information regarding the application to replat the property and a report from the Planning and Zoning Commission.

MOTION: APPROVE THE REPLAT OF MEADOW CREEK ESTATES, LOTS 32/33R-1 & 32/33R-2, BLOCK B TO MOVE LOT LINES AT 11177 MASON DR., COLLIN COUNTY, TX.

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

- B. Discussion and action regarding the final plat of the Trails of Lavon Addition, Phase 2A for 88 residential lots, 5 open space tracts, and one Bear Creek SUD lot on 36.426 acres of land, part of a 205.503-acre tract situated in the Drury Anglin Survey, A-2, in the vicinity of the intersection of CR 484 and CR 485, Lavon, Collin County, TX (CCAD Property ID 1249928).**

Ms. Dobbs provided information regarding the final plat of the Trails of Lavon Addition and a report from the Planning and Zoning Commission. Brian Moody, Kimley-Horn, was available for questions.

MOTION: APPROVE THE FINAL PLAT OF THE TRAILS OF LAVON ADDITION, PHASE 2A FOR 88 RESIDENTIAL LOTS, 5 OPEN SPACE TRACTS, AND ONE BEAR CREEK SUD LOT ON 36.426 ACRES OF LAND, PART OF A 205.503-ACRE TRACT SITUATED IN THE DRURY ANGLIN SURVEY, A-2, IN THE VICINITY OF THE INTERSECTION OF CR 484 AND CR 485, LAVON, COLLIN COUNTY, TX, SUBJECT TO THE APPROVAL OF THE CITY ENGINEER.

MOTION MADE: WRIGHT
SECONDED: DILL
APPROVED: UNANIMOUS (Absent: Kell, Cook)

- C. Discussion and action regarding the site plan and landscape plan of the Lavon Economic Development Corporation Downtown Commercial Building at 619 Main St., Lavon Business Park, Block A, Lot 6R-1, Lavon, TX.**

Pam Mundo, Mundo & Associates, provided information regarding the Lavon Economic Development Corporation Downtown Commercial Building. Ms. Dobbs provided a report from the Planning and Zoning Commission

MOTION: APPROVE THE SITE PLAN AND LANDSCAPE PLAN OF THE LAVON ECONOMIC DEVELOPMENT CORPORATION DOWNTOWN COMMERCIAL BUILDING AT 619 MAIN ST., LAVON BUSINESS PARK, BLOCK A, LOT 6R-1, LAVON, TX.

MOTION MADE: SERKLAND
SECONDED: DILL
APPROVED: UNANIMOUS (Absent: Kell, Cook)

- D. Discussion, and action regarding Resolution No. 2022-06-02, authorizing the award of service providers for the Texas Hazard Mitigation Assistance (HMA) project funded through the Texas Division of Emergency Management (TDEM and/or Texas Water Development Board (TWDB); and providing an effective date.**

Ms. Dobbs relayed that one proposal was received and recommended approval of the selection of Traylor and Associates, Inc.

MOTION: APPROVE RESOLUTION NO. 2022-06-02, AUTHORIZING THE AWARD OF SERVICE PROVIDERS FOR THE TEXAS HAZARD MITIGATION ASSISTANCE (HMA) PROJECT FUNDED THROUGH THE TEXAS DIVISION OF EMERGENCY MANAGEMENT (TDEM AND/OR TEXAS WATER DEVELOPMENT BOARD (TWDB); TO TRAYLOR AND ASSOCIATES, AND PROVIDING AN EFFECTIVE DATE.

MOTION MADE: WRIGHT
SECONDED: DILL
APPROVED: UNANIMOUS (Absent: Kell, Cook)

- E. **Discussion and action regarding Resolution No. 2022-06-03, authorizing the award of a professional service provider contract for the Texas Hazard Mitigation Assistance (HMA) project funded through the Texas Division of Emergency Management (TDEM and/or Texas Water Development Board (TWDB)); and providing an effective date.**

Ms. Dobbs provided details regarding three submittals received in response to the Request for Qualifications and relayed the Selection Committee's recommendation of Freeman-Millican, Inc.

MOTION: APPROVE RESOLUTION NO. 2022-06-03, AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE PROVIDER CONTRACT FOR THE TEXAS HAZARD MITIGATION ASSISTANCE (HMA) PROJECT FUNDED THROUGH THE TEXAS DIVISION OF EMERGENCY MANAGEMENT (TDEM AND/OR TEXAS WATER DEVELOPMENT BOARD (TWDB)); TO FREEMAN MILLICAN, INC. AND PROVIDING AN EFFECTIVE DATE.

MOTION MADE: SERKLAND

SECONDED: WRIGHT

APPROVED: UNANIMOUS (Absent: Kell, Cook)

- F. **Discussion, and action regarding Resolution No. 2022-06-04 approving and authorizing the Mayor to execute a Master Service Agreement with Peloton Land Solutions, Inc. for Ongoing Professional Services; and providing an effective date.**

Ms. Dobbs provided information regarding the past and continued relationship with the firm and recommended approval. Abra Nusser was available to respond to questions.

MOTION: APPROVE RESOLUTION NO. 2022-06-04 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A MASTER SERVICE AGREEMENT WITH PELOTON LAND SOLUTIONS, INC. FOR ONGOING PROFESSIONAL SERVICES; AND PROVIDING AN EFFECTIVE DATE.

MOTION MADE: WRIGHT

SECONDED: DILL

APPROVED: UNANIMOUS (Absent: Kell, Cook)

- G. **Discussion and action regarding Resolution No. 2022-06-05 approving and authorizing the Mayor to execute a Work Order for Planning and Design Services in accordance with the Master Services Agreement for Ongoing Professional Services with Peloton Land Solutions, Inc.; and providing an effective date.**

Ms. Dobbs provided information regarding the Work Order and services to be performed.

MOTION: APPROVE RESOLUTION NO. 2022-06-05 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A WORK ORDER FOR PLANNING AND DESIGN SERVICES IN ACCORDANCE WITH THE MASTER SERVICES AGREEMENT FOR ONGOING PROFESSIONAL SERVICES WITH PELOTON LAND SOLUTIONS, INC.; AND PROVIDING AN EFFECTIVE DATE.

MOTION MADE: DILL

SECONDED: SERKLAND

APPROVED: UNANIMOUS (Absent: Kell, Cook)

- H. **Discussion and action regarding Resolution No. 2022-06-06 selecting and appointing a Home Rule Charter Commission; acknowledging the Mayor's appointment of a Chairperson; and providing an effective date.**

Ms. Dobbs recapped previous discussions regarding the nomination and selection process for the Home Rule Charter Commission.

MOTION: APPOINT THE FOLLOWING PEOPLE TO SERVE ON THE HOME RULE CHARTER COMMISSION: VICKI SANSON, KAY WRIGHT, MINDI SERKLAND, DAVE ROSENQUIST, MIKE GULINO, JOAN AQUATERO, KAMIL KELL, RACHEL DUMAS, SCOTT BEAUDETTE, MANDY SPINK, LINDSEY HEDGE, PERRY ELLIOTT, JOSE

GARCIA, AND HEATHER MIEDEMA AND ACKNOWLEDGE AND APPROVE THE APPOINTMENT OF DEBORAH NABORS TO SERVE AS CHAIRPERSON.

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

- I. Receive presentation, discussion, and action regarding Resolution No. 2022-06-07 approving an amendment to the contract with Community Waste Disposal (CWD) for the collection, hauling and disposal of municipal solid waste to approve a market adjustment to rates.**

Nicole Roemer, Municipal Director, Community Waste Disposal, presented detailed information regarding the market adjustment to the rates that CWD charges the city.

MOTION: APPROVE RESOLUTION NO. 2022-06-07 APPROVING AN AMENDMENT TO THE CONTRACT WITH COMMUNITY WASTE DISPOSAL (CWD) FOR THE COLLECTION, HAULING AND DISPOSAL OF MUNICIPAL SOLID WASTE TO APPROVE A MARKET ADJUSTMENT TO RATES.

MOTION MADE: SERKLAND
SECONDED: DILL
APPROVED: UNANIMOUS (Absent: Kell, Cook)

- J. Discussion, and action regarding Ordinance No. 2022-06-01 amending the fee schedule approved and adopted by Ordinance No. 2021-09-05 for the fiscal year October 1, 2021, through September 30, 2022 to increase the Sewer Tap Fee and add a Texas Department of Transportation Driveway Permit Application Review Fee; and providing an effective date.**

Ms. Dobbs and City Engineer Mark Hill provided information regarding the application process and fee for the review and submittal of TXDOT Driveway permit applications and the proposed increase of the sewer tap fee. Ms. Dobbs noted that the increase in the sewer tap fee provides a fraction of the related costs.

MOTION: APPROVE ORDINANCE NO. 2022-06-01 AMENDING THE FEE SCHEDULE APPROVED AND ADOPTED BY ORDINANCE NO. 2021-09-05 FOR THE FISCAL YEAR OCTOBER 1, 2021, THROUGH SEPTEMBER 30, 2022 AS AMENDED TO INCREASE THE SEWER TAP FEE AND ADD A TEXAS DEPARTMENT OF TRANSPORTATION DRIVEWAY PERMIT APPLICATION REVIEW FEE; AND PROVIDING AN EFFECTIVE DATE.

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

- K. Discussion and action regarding Ordinance No. 2022-06-02 amending Ordinance No. 2021-09-02 that approved and adopted a Budget for the city for the fiscal year October 1, 2021 through September 30, 2022, to amend adopted revenues and expenditures of the budget; and declaring an effective date.**

Ms. Dobbs reviewed the proposed amendment and confirmed the resulting positive net balances.

MOTION: APPROVE ORDINANCE NO. 2022-06-02 AMENDING ORDINANCE NO. 2021-09-02 THAT APPROVED AND ADOPTED A BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2021, THROUGH SEPTEMBER 30, 2022, TO AMEND ADOPTED REVENUES AND EXPENDITURES OF THE BUDGET; AND DECLARING AN EFFECTIVE DATE.

MOTION MADE: WRIGHT
SECONDED: DILL
APPROVED: UNANIMOUS (Absent: Kell, Cook)

- L. Discussion and action regarding an Ordinance providing for regulations and standards pertaining to alcohol-related uses, businesses, events, reporting, permitting, and consumption of alcohol in the City of Lavon.**

Ms. Dobbs introduced the regulatory framework pertaining to alcohol related consumption and uses stemming from the local option election, including draft zoning changes to be considered by the Planning and Zoning Commission on June 28, 2022. Abra Nusser, Peloton Land Solutions, Inc. presented proposed permitting regulations and noted that the City Attorney had approved the form of the draft ordinance. Ms. Dobbs noted that an amendment to the permit fee schedule will be forthcoming. The City Council was encouraged to review the draft zoning changes and submit questions and comments to the staff.

MOTION: APPROVE ORDINANCE NO. 2022-06-03 ENACTING AN AMENDMENT TO THE CITY OF LAVON CODE OF ORDINANCES, CHAPTER 5 “BUSINESS REGULATIONS”, ARTICLE 5.04 “ALCOHOLIC BEVERAGES”, TO REVISE ARTICLE 5.04 “ALCOHOLIC BEVERAGES” IN ITS ENTIRETY; PROVIDING A CONFLICT CLAUSE; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND SETTING AN EFFECTIVE DATE.

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

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

No report was provided and no action was taken.

Mayor Sanson called a brief recess at 8:27 p.m. and reconvened at 8:35 p.m.

10. BUDGET WORK SESSION


Ms. Dobbs provided information regarding the schedule and preparation of the budget for the 2022-23 Fiscal Year. The City Council confirmed the Council objectives.

11. SET FUTURE MEETINGS AND AGENDA.


June 21, 2022, Regular Meeting
July 5, 2022, Regular Meeting or July 12, 2022, Special Meeting.

12. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 8:46 P.M.

DULY PASSED and APPROVED by the City Council of Lavon, Texas, on this 21st day of June 2022.


Vicki Sanson, Mayor

ATTEST:


Rae Norton, City Secretary

