



**MINUTES**  
**FEBRUARY 6, 2024**  
**LAVON CITY COUNCIL**  
**CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS**  
**REGULAR MEETING**

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ATTENDING: VICKI SANSON, MAYOR  
MIKE SHEPARD, PLACE 1  
MIKE COOK, PLACE 2, MAYOR PRO TEM  
KAY WRIGHT, PLACE 3  
TED DILL, PLACE 4  
LINDSEY HEDGE, PLACE 5

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

**2. MAYOR SANSON LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND MR. DILL DELIVERED THE INVOCATION.**

**3. ITEMS OF INTEREST/COMMUNICATIONS**

- Education Foundation Bags for the Braves on March 21, 2024
- Breakfast with the Bunny on March 23, 2024, 9am-10:30am
- Upcoming TxDOT Projects at Geren/Burnett & SH 78 and turn lane addition at Bently and SH 78

**4. CITIZENS COMMENTS**

Resident John Jones, 370 Rock Acre Dr. expressed concern for the SH 78 and LakePointe Dr. intersection and staff offered to provide information about the traffic signal installation.

**5. PROCLAMATIONS**

A proclamation was presented for American Heart Health Month.

**6. CONSENT AGENDA**

- A. Approve the minutes of the January 16, 2024, meeting.**
- B. Receive Quarterly Investment Report.**
- C. Approve Resolution No. 2024-02-01 authorizing continued participation with the Steering Committee of Cities serviced by Oncor; and authorize the payment of ten cents per capita to the Steering committee to fund regulatory and legal proceedings and activities related to Oncor Electric Deliver Company, LLC.**
- D. Approve Resolution No. 2024-02-02 approving Financial Policies and Procedures for Federal Grant Contracts.**
- E. Approve Resolution No. 2024-02-03 approving a Procurement Policy Applicable to All Procurements Made with Federal Funds.**

**MOTION: APPROVE CONSENT AGENDA.**

MOTION MADE: WRIGHT

SECONDED: HEDGE

APPROVED: UNANIMOUS

**7. ITEMS FOR CONSIDERATION**

- A. Public Hearing, discussion, and action regarding the intent to relinquish the delegated authority for on-site sewage facilities (OSSF) pursuant to TX Administrative Code Title 30,**

**Part 1, Chapter 285 On-Site Sewage Facilities, Subchapter B, Sec. 285.10(d)(1)(B), as established in Article 12.04 “On-Site Sewage Facilities” of the City of Lavon Code or Ordinances.**

**Presentation of the request.**

City Manager Kim Dobbs provided information regarding the proposed relinquishment of the delegated authority for on-site sewage facilities within the city limits of Lavon including the process required by the TCEQ.

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

Mayor Sanson opened the public hearing at 6:47 p.m. and invited comments for or against the proposed amendment. Randall Ingle, 536 Winding Shore, Tool, TX inquired who would be processing future permits and staff described the recommendation to enter into an interlocal agreement for Collin County to assume the authority. There being no further comments, Mayor Sanson closed the public hearing at 6:48 p.m.

**Discussion and action regarding the request.**

**MOTION: PROCEED WITH STEPS TO RELINQUISH AUTHORITY AND PREPARE TO REPEAL ARTICLE 12.04 OF THE CITY OF LAVON CODE OF ORDINANCES.**

MOTION MADE: SHEPARD

SECONDED: DILL

APPROVED: UNANIMOUS

- B. Public Hearing, discussion, and action regarding an application to change the zoning district classification from Agricultural (A) District to Single Family 1-Acre (SF-1) on approximately 3.167 acres of land out of the Drury Anglin Survey, Abstract No. 2, Sheet 3, Tract 121 situated southwest of the intersection of CR 483 and FM 2755/McClendon Rd. Lavon, Collin County, Texas, (CCAD Property ID 2653997).**

**PRESENTATION of proposed application**

Ms. Dobbs provided information regarding the applicant’s request to change the zoning district classification, its conformance with the Comprehensive Plan, and the Planning and Zoning Commission’s recommendation for approval. Applicant Randall Ingle, 536 Winding Shore Dr., Tool, TX, was available for questions.

**PUBLIC HEARING to receive comments regarding the proposed application.**

Mayor Sanson opened the public hearing at 6:55 p.m. and invited comments for or against the proposed amendment. There being no comments, Mayor Sanson closed the public hearing at 6:56 p.m.

**Discussion and action regarding the proposed application.**

Ms. Dobbs noted that the requisite public hearing notice had been published, posted, signs placed, and that twenty-two (22) neighbor notices were mailed to the owners of property located within 200 feet of the subject property with four returned in favor of and none in opposition to the proposed zoning change.

**MOTION: APPROVE THE ORDINANCE NO. 2024-02-01 TO CHANGE THE ZONING DISTRICT CLASSIFICATION FROM AGRICULTURAL (A) DISTRICT TO SINGLE FAMILY 1-ACRE (SF-1) ON APPROXIMATELY 3.167 ACRES OF LAND OUT OF THE DRURY ANGLIN SURVEY, ABSTRACT NO. 2, SHEET 3, TRACT 121 SITUATED SOUTHWEST OF THE INTERSECTION OF CR 483 AND FM 2755/MCCLENDON RD. LAVON, COLLIN COUNTY, TEXAS.**

MOTION MADE: DILL

SECONDED: HEDGE

APPROVED: UNANIMOUS

- C. **Public Hearing, discussion, and action regarding an amendment to the City’s Code of Ordinances Chapter 9 “Planning and Development Regulations”, Article 9.02 “Subdivision Ordinance”, Division 1 “Generally”, Section 9.02.002 “Definitions” to add the definition of “Lot” and Section 9.02.004 “Procedure” to remove the requirement to provide building setback lines on a plat.**

**PRESENTATION of proposed amendment.**

Ms. Dobbs provided information regarding the amendment noting the need to improve and clarify the Subdivision Ordinance.

**PUBLIC HEARING to receive comments regarding the proposed amendment.**

At 6:58 p.m. Mayor Sanson opened the public hearing and invited comments for or against the amendment. There being no comments, Mayor Sanson closed the public hearing at 6:58 p.m.

**Discussion and action regarding the proposed amendment.**

Ms. Dobbs noted that the amendment comes forward with a recommendation for approval from the Planning & Zoning Commission.

**MOTION: APPROVE ORDINANCE NO. 2024-02-02 AMENDING THE CITY’S CODE OF ORDINANCES CHAPTER 9 “PLANNING AND DEVELOPMENT REGULATIONS”, ARTICLE 9.02 “SUBDIVISION ORDINANCE”, DIVISION 1 “GENERALLY”, SECTION 9.02.002 “DEFINITIONS” TO ADD THE DEFINITION OF “LOT” AND SECTION 9.02.004 “PROCEDURE” TO REMOVE THE REQUIREMENT TO PROVIDE BUILDING SETBACK LINES ON A PLAT.**

MOTION MADE: WRIGHT

SECONDED: COOK

APPROVED: UNANIMOUS

- D. **Discussion and action regarding the final plat of the Bradley Addition consisting of two residential lots on 2.0 acres out of the Drury Anglin Survey, Abstract No. 2, Sheet 1, Tract 39 situated at 17560 FM 2755, in the extraterritorial jurisdiction of the City of Lavon, Collin County, Texas, (CCAD Property ID 1249642).**

Ms. Dobbs provided details regarding the short form final plat of the Bradley Addition and provided a report from the Planning and Zoning Commission recommending approval.

**MOTION: APPROVE THE FINAL PLAT OF THE BRADLEY ADDITION CONSISTING OF TWO RESIDENTIAL LOTS ON 2.0 ACRES OUT OF THE DRURY ANGLIN SURVEY, ABSTRACT NO. 2, SHEET 1, TRACT 39 SITUATED AT 17560 FM 2755, COLLIN COUNTY, TEXAS SUBJECT TO RESOLUTION OF PLANNING AND ENGINEERING COMMENTS.**

MOTION MADE: COOK

SECONDED: SHEPARD

APPROVED: UNANIMOUS

- E. **Discussion and action regarding revision of the approved unrecorded final plat of the Racetrac Addition, Phase 1, consisting of one commercial lot on 1.853 acres out of the W.A.S. Bohannan Survey, Abstract No. 121 situated at 9930 S. State Highway 78, Lavon, Collin County, TX.**

Ms. Dobbs provided information regarding the revision of the final plat and provided a report from the Planning and Zoning Commission recommending approval.

**MOTION: APPROVE THE REVISION OF THE APPROVED UNRECORDED FINAL PLAT OF THE RACETRAC ADDITION, PHASE 1, CONSISTING OF ONE COMMERCIAL LOT ON 1.853 ACRES OUT OF THE W.A.S. BOHANNAN SURVEY, ABSTRACT NO. 121**

**SITUATED AT 9930 S. STATE HIGHWAY 78, LAVON, COLLIN COUNTY, TX SUBJECT TO THE CITY ENGINEER'S APPROVAL.**

MOTION MADE: WRIGHT  
SECONDED: DILL  
APPROVED: UNANIMOUS

- F. **Discussion and action regarding the site plan and landscape plan for the Lavon Food & Fuel project at 955 N. SH 78, Lake Breeze Estates, Lot 25C-R, Block E, on 2.142 acres situated southwest of the intersection of SH 78 and Gage Road (formerly Lake Road), Lavon, Collin County, TX, (CCAD Property IDs 2864642 and 2894671).**

Ms. Dobbs provided information regarding the site plan and landscape plan. The applicant, Satwinder Singh detailed the site and answered questions. Ms. Dobbs noted that the Planning & Zoning Commission recommended conditional approval.

**MOTION: APPROVE THE SITE PLAN AND LANDSCAPE PLAN FOR THE LAVON FOOD & FUEL PROJECT AT 955 N. SH 78, LAKE BREEZE ESTATES, LOT 25C-R, BLOCK E, ON 2.142 ACRES SITUATED SOUTHWEST OF THE INTERSECTION OF SH 78 AND GAGE ROAD (FORMERLY LAKE ROAD), LAVON, COLLIN COUNTY, TX SUBJECT TO CITY ENGINEER APPROVAL OF THE TRAFFIC IMPACT ANALYSIS AND RESOLUTION OF PLANNING COMMENTS.**

MOTION MADE: WRIGHT  
SECONDED: HEDGE  
APPROVED: UNANIMOUS

- G. **Discussion and action regarding the site plan and landscape plan of the Elevon Section 2 Amenity Center at 199 Elevon Parkway, Block M, Lot 2X, Elevon Parkway Addition on 5.763 acres of land, southeast of and adjacent to the roundabout intersection of Elevon Parkway and Wishing Pond Road, Lavon, Collin County (CCAD Property ID 2892638).**

Ms. Dobbs provided information regarding the location of the site and Ruben Graciano, JBI Partners detailed the site plan and landscape plan. Ms. Dobbs noted the item comes forward with a recommendation for approval from the Planning & Zoning Commission.

**MOTION: APPROVE THE SITE PLAN AND LANDSCAPE PLAN OF THE ELEVON SECTION 2 AMENITY CENTER AT 199 ELEVON PARKWAY, BLOCK M, LOT 2X, ELEVON PARKWAY ADDITION ON 5.763 ACRES OF LAND, SOUTHEAST OF AND ADJACENT TO THE ROUNDABOUT INTERSECTION OF ELEVON PARKWAY AND WISHING POND ROAD, LAVON, COLLIN COUNTY.**

MOTION MADE: WRIGHT  
SECONDED: SHEPARD  
APPROVED: UNANIMOUS

- H. **Discussion and action regarding Resolution No. 2024-02-04 approving and authorizing the execution of an Interlocal Agreement with Collin County for provision of all services related to On-Site Sewage Facilities to meet the requirements set forth in Title 30, Texas Administrative Code, Chapter 285.**

Ms. Dobbs provided information regarding the agreement with Collin County for management of all On-Site Sewage Facilities in the city limits of Lavon, subject to the order of relinquishment issued by the Texas Commission on Environmental Quality.

**MOTION: APPROVE RESOLUTION NO. 2024-02-04 APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH COLLIN COUNTY FOR PROVISION OF ALL SERVICES RELATED TO ON-SITE SEWAGE FACILITIES TO MEET THE REQUIREMENTS SET FORTH IN TITLE 30, TEXAS ADMINISTRATIVE CODE, CHAPTER 285.**

MOTION MADE: DILL

SECONDED: HEDGE  
APPROVED: UNANIMOUS

- I. Discussion and action regarding the award of the construction project bid for the Miscellaneous Paving Improvements (CIP-3A, 3B, 3C) and Resolution No. 2024-02-05 authorizing the negotiation and execution of a construction contract with VLEX Construction, L.L.C. in the amount of \$374,869.00 with 90 calendar days to construct; and providing an effective date.

Ms. Dobbs provided information regarding the bidding process and details of the CIP projects 3A, 3B and 3C paving improvements to North Geren Drive/Windmill drainage, Lincoln Avenue and other paving sections, and CR 483 at FM 2755 respectively.

**MOTION: APPROVE RESOLUTION NO. 2024-02-05 AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONSTRUCTION CONTRACT WITH VLEX CONSTRUCTION, L.L.C. FOR PAVING IMPROVEMENTS IN THE AMOUNT OF \$374,869.00 WITH 90 CALENDAR DAYS TO CONSTRUCT; AND PROVIDING AN EFFECTIVE DATE.**

MOTION MADE: WRIGHT  
SECONDED: HEDGE  
APPROVED: UNANIMOUS

- J. Discussion and action regarding Ordinance No. 2024-02-03 to amend the fee schedule approved and adopted by Ordinance No. 2023-08-10 for the Fiscal Year October 1, 2023 through September 30, 2024, as amended, to add building permit fees for multifamily carports and garages, and a solicitor's permit fee.

Ms. Dobbs provided information for the proposed fee schedule amendment.

**MOTION: APPROVE ORDINANCE NO. 2024-02-03 TO AMEND THE FEE SCHEDULE APPROVED AND ADOPTED BY ORDINANCE NO. 2023-08-10 FOR THE FISCAL YEAR OCTOBER 1, 2023 THROUGH SEPTEMBER 30, 2024, AS AMENDED, TO ADD BUILDING PERMIT FEES FOR MULTIFAMILY CARPORTS AND GARAGES, AND A SOLICITOR'S PERMIT FEE.**

MOTION MADE: DILL  
SECONDED: SHEPARD  
APPROVED: UNANIMOUS

- K. Discussion regarding regional cooperation and temporary sanitary sewer treatment in unincorporated areas.

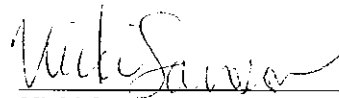
Ms. Dobbs AND City Engineer Mark Hill provided information regarding the request from Hillstead/Collin County MUD No. 5. The City Council directed the staff to proceed with the development of an agreement for temporary sanitary sewer treatment for the specific unincorporated areas.

## 8. SET FUTURE MEETINGS AND AGENDA

February 20, 2024 – Regular Meeting

## 9. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 7:40 P.M.

DULY PASSED and APPROVED by the City Council of Lavon, Texas, on this 20<sup>th</sup> day of February 2024.

  
Vicki Sanson, Mayor

ATTEST:

  
Rae Norton, City Secretary

