



**MINUTES
JANUARY 7, 2020
LAVON CITY COUNCIL
REGULAR MEETING
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS
7:00 P.M.**

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

ABSENT: MIKE COOK, PLACE 2

1. **MAYOR SANSON CALLED THE MEETING TO ORDER AT 7:00 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. **PRESENTATIONS**

Mayor Sanson presented a proclamation in honor of Dr. Martin Luther King Jr. Day 2020.

4. **CITIZENS COMMENTS**

There were no comments.

5. **ITEMS OF INTEREST/COMMUNICATIONS**

- April 18, 2020 LEDC Small Business Bazaar
- Police Chief Mike Jones introduced new hire Police Officer Alex Esquivel.
- Mayor Sanson shared a framed photograph of the City Council and Representative Candy Noble taken at the push-in ceremony for the brush truck and presented to her by the Fire Department. Mayor Sanson noted that the photograph will be displayed in the case at City Hall.

6. **CONSENT AGENDA**

- A. **Approve the minutes of the December 3, 2019 meeting.**
- B. **Approve the minutes of the December 19, 2019 meeting.**
- C. **Accept the Heritage Public Improvement District #1 Assessment Report Summary dated 11/30/2019 and authorize the payment of invoices included therein.**

MOTION: APPROVE THE CONSENT AGENDA.

MOTION MADE: WRIGHT

SECONDED: SERKLAND

APPROVED: UNANIMOUS (Absent: Cook)

7. **ITEMS FOR CONSIDERATION**

- A. **Public Hearing, discussion and action regarding the application of Chris Harp Construction, LLC for a conditional use permit (CUP) to construct a Temporary Concrete Batch Plant in Traditions at Grand Heritage, Phase 2, on 30.485 acres described as A0002 Drury Anglin Survey, (CCAD Property ID 1250096), south of the intersection of Geren and Windmill, Lavon, TX.**

Presentation of request.

City Administrator Kim Dobbs presented information regarding the location, zoning and code requirements for the proposed site and recognized developer representatives Jim Douglas, Douglas Properties and Chris Harp, CH Construction. Mr. Douglas advised that the batch plant would be in place for 8-10 days, weather permitting, with no exterior lighting. Mr. Harp added there would be no rock-crusher and that dust control would be implemented per TCEQ regulations. Regarding work hours and traffic control, Mr. Harp stated that all work would be done within the guidelines of the City of Lavon standards.

PUBLIC HEARING to receive comments regarding the request.

Mayor Sanson opened the public hearing at 7:13 p.m. and invited comments in favor of or opposition to the request. There being no comments, Mayor Sanson closed the public hearing at 7:14 p.m.

Discussion and action regarding the request and accompanying Ordinance.

Ms. Dobbs noted that public hearing notice was published in the newspaper, posted on the website and mailed to properties situated within 200 feet of the site. Ms. Wright acknowledged a copy of the TCEQ permit was provided in the packet. Mr. Kell stated that the adjoining neighborhoods were concerned about the 7am rule and Ms. Dobbs stated that residents should contact the non-emergency dispatch number if there are any issues.

MOTION: APPROVE ORDINANCE NO. 2020-01-01 GRANTING A CONDITIONAL USE PERMIT (CUP) FOR CONSTRUCTION OF A TEMPORARY CONCRETE BATCH PLANT IN TRADITIONS AT GRAND HERITAGE, PHASE 2, ON 30.485 ACRES DESCRIBED AS A0002 DRURY ANGLIN SURVEY, (CCAD PROPERTY ID 1250096), SOUTH OF THE INTERSECTION OF GEREN AND WINDMILL, LAVON TX.

MOTION MADE: WRIGHT
SECONDED: KELL
APPROVED: UNANIMOUS (Absent: Cook)

B. Discussion and action regarding Resolution No. 2020-01-01 approving the renewal of the Interlocal Cooperation Agreement with Collin County for Fire inspection and fire plan review services and replacing the contract amendment for the same approved by Resolution No. 2019-10-01.

Ms. Dobbs provided background information and stated that this was a change of form requested by Collin County to specify a renewal rather than an amendment to the agreement.

MOTION: APPROVE RESOLUTION NO. 2020-01-01 APPROVING THE RENEWAL OF THE INTERLOCAL COOPERATION AGREEMENT WITH COLLIN COUNTY FOR FIRE INSPECTION AND FIRE PLAN REVIEW SERVICES AND REPLACING THE CONTRACT AMENDMENT FOR THE SAME APPROVED BY RESOLUTION NO. 2019-10-01.

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

C. Discussion and action regarding Resolution 2020-01-02 authorizing the Mayor to execute a professional services agreement with Lee Engineering for professional traffic engineering services associated with preparation of details related to Thoroughfare Plan cross-sections to support the Thoroughfare Map in an amount not to exceed \$9500.00.

Ms. Dobbs provided information regarding the Community Vision Assessment and Strategic Plan and noted that one of the Key Priorities is to "Create and Adopt Comprehensive Plan Updates and a Master Thoroughfare Plan". Mark Hill, City Engineer, stated with this Thoroughfare Plan update, updated Minimum Construction Standards Ordinances would soon follow.

MOTION: APPROVE RESOLUTION 2020-01-02 AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH LEE ENGINEERING FOR PROFESSIONAL TRAFFIC ENGINEERING SERVICES ASSOCIATED WITH PREPARATION OF DETAILS RELATED TO THOROUGHFARE PLAN CROSS-

SECTIONS TO SUPPORT THE THOROUGHFARE MAP IN AN AMOUNT NOT TO EXCEED \$9500.00.

MOTION MADE: KELL
SECONDED: WRIGHT
APPROVED: UNANIMOUS (Absent: Cook)

- D. Discussion and action regarding Task Order #3 with Freeman-Millican Inc. for professional engineering services relating to the preparation of a capital improvement plan in an amount not to exceed \$9100.00.**

Ms. Dobbs reviewed the recommendation from the Strategic Plan to identify Capital Improvements and referenced the July 2017 professional services agreement for professional engineering services and consultation. Ms. Dobbs added that during the fiscal year 2019-20 budget process, the city staff and city engineer presented information identifying and outlining the need for certain capital projects.

MOTION: APPROVE TASK ORDER #3 WITH FREEMAN-MILLICAN INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATING TO THE PREPARATION OF A CAPITAL IMPROVEMENT PLAN IN AN AMOUNT NOT TO EXCEED \$9100.00.

MOTION MADE: DILL
SECONDED: KELL
APPROVED: UNANIMOUS (Absent: Cook)

- E. Discussion and action regarding Ordinance No. 2020-01-02 amending Chapter 6 “Fire Prevention and Protection”, of the City of Lavon Code of Ordinances by amending Article 6.02.003 “Membership and Appointment” to amend requirements relating to organizational structure and appointment of members; providing for severability, savings and repealing clauses; and providing for an effective date of the ordinance.**

Ms. Dobbs reviewed the current Code and noted the redlined version in the council packet. Ms. Dobbs stated that she and Chief Danny Anthony recommended these changes to the Code of Ordinances to provide the Chief flexibility to match resources and needs within the department.

MOTION: APPROVE ORDINANCE NO. 2020-01-02 AMENDING CHAPTER 6 “FIRE PREVENTION AND PROTECTION”, OF THE CITY OF LAVON CODE OF ORDINANCES BY AMENDING ARTICLE 6.02.003. “MEMBERSHIP AND APPOINTMENT” TO AMEND REQUIREMENTS RELATING TO ORGANIZATIONAL STRUCTURE AND APPOINTMENT OF MEMBERS; PROVIDING FOR SEVERABILITY, SAVINGS AND REPEALING CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THE ORDINANCE.

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

- F. Discussion and action regarding Resolution No. 2020-01-03 amending the Bylaws of the Lavon Volunteer Fire Department regarding membership, qualifications, and duties of officers; and providing for an effective date.**

Ms. Dobbs reviewed the changes to the Bylaws and noted that Chief Anthony and staff recommend approval of the updates.

MOTION: APPROVE RESOLUTION NO. 2020-01-03 AMENDING THE BYLAWS OF THE LAVON VOLUNTEER FIRE DEPARTMENT REGARDING MEMBERSHIP, QUALIFICATIONS, AND DUTIES OF OFFICERS; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION MADE: SERKLAND
SECONDED: KELL
APPROVED: UNANIMOUS (Absent: Cook)

G. Discussion and action regarding Resolution No. 2020-01-04 authorizing the Mayor to execute a development agreement with MA Partners, LLC to set forth and coordinate the process and time periods for submission of Developer's Response and consideration of the Preliminary Plat for the Abston Hill Addition.

Ms. Dobbs advised that the parties were continuing to work on the agreement. No action was taken.

H. Discussion and action regarding the process needs, elements, priorities, projects and estimated costs related to a Capital Improvement Program (CIP).

City Engineer Mark Hill, Freeman Millican LLC, provided a presentation relating to the priority methodology and potential project for Capital Improvements Programming. Mr. Hill and the Council discussed that the Community Vision Assessment and Strategic Plan should drive the process. The Council directed staff to plan a work session for January 21. Mr. Hill estimated that a Draft Preliminary Plan could be prepared by March 2020. No action was taken.

I. Discussion and action regarding board and commission appointments – Lavon Economic Development Corporation Board of Directors.

Ms. Dobbs advised that Mr. Piekarski recently resigned and applications are being accepted. No action was taken.

8. EXECUTIVE SESSION

At 8:22 p.m., in accordance with the Texas Government Code, Annotated Subchapter 551, Subchapter D, Mayor Sanson recessed the meeting to go into executive session (closed meeting) to discuss the following items.

- a) Consultation with Attorney on a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act regarding the provision of sanitary sewer service.

9. RECONVENE INTO REGULAR SESSION

In accordance with Texas Government Code, Section 551.001, et seq., Mayor Sanson reconvened the meeting at 9:07 p.m., and stated no action was taken.

10. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS.

- January 21 - Regular Meeting at 6:00 p.m. with possible Executive Session/Work Session.

11. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 9:08 P.M.

DULY PASSED and APPROVED by the City Council of Lavon, Texas, on this 21st day of January 2020.



Vicki Sanson
Mayor

ATTEST:



Kim Dobbs
City Administrator/City Secretary

