



**MINUTES
FEBRUARY 19, 2019
LAVON CITY COUNCIL
REGULAR MEETING – EXECUTIVE SESSION
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS
7:00 P.M.**

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

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 MR. DILL DELIVERED THE INVOCATION.

3. PRESENTATION

Eva Hummel and Paul Redmon, Atmos Energy presented the Lavon Volunteer Fire Department (LVFD) and Assistant Chief Danny Anthony with a donation of \$1500.00. Ms. Hummel thanked the LVFD for the continued partnership with Atmos Energy.

4. CITIZENS COMMENTS

There were none.

5. ITEMS OF INTEREST/COMMUNICATIONS

- Sign the Beam at NeSmith Elementary, Monday 2/25/2019.
- LEDC Small Business Bazaar, Saturday 4/13/2019 from 10am-3pm.
- CISD Spring Break March 11-15.

6. CONSENT AGENDA

A. Approve the amended minutes of the February 5, 2019 meeting.

B. Accept the Heritage Public Improvement District #1 Assessment Report Summary dated 1/30/2019 and authorize the payment of invoices included therein.

C. Approve Resolution No. 2019-02-05 authorizing the Mayor and Mayor Pro Tem to execute an Equipment Lease Purchase Agreement with Community Leasing Partners for the purchase of two Police Department vehicles for an amount not to exceed \$109,354.26.

MOTION: APPROVE THE CONSENT AGENDA AS AMENDED.

MOTION MADE: WRIGHT
SECONDED: SERKLAND
APPROVED: UNANIMOUS

7. ITEMS FOR CONSIDERATION

B. Discussion and action regarding proposed design guidelines presented for the LakePointe Development.

Steve Lenart, Lenart Development Company LLC presented slides regarding the concept plan and proposed project. Mr. Lenart stated he hoped to break ground in the spring. Mr. Lenart explained that

presently there are 14 acres in the city limits and 186 acres in the extraterritorial jurisdiction (ETJ) and that the developer intends to annex all the property into the City. Among features in the development, Mr. Lenart referenced an 8 ft. wide trail that will meander through the subdivision, an architectural and landscaped entry feature, an amenity center, open space and passive park areas and a 27- acre commercial/mixed use area. Mr. Lenart presented a slide with conceptual pad sites and commercial building sites to illustrate scale and stated that presently there are no contracts or commitments for the commercial areas.

Mr. Lenart provided information regarding architectural features and requirements for the homes. There was discussion of the use of cementitious materials for architectural character. Mayor Pro Tem Wright commented on cementitious material and asked about the CCR requirements for fencing and exterior architectural features. Mr. Lenart explained the process of the CCR and the scope of what it covered. Mayor Sanson asked if parking would be addressed in the CCR and Mr. Lenart said it would. Ms. Serkland asked about the diameter of trees to be planted and Mr. Lenart explained they would be a minimum of 4 inches in diameter. Mr. Lenart described a concept for multifamily 2 story units and the phases they would be built. Tom Ormsby, P&Z asked where the HOA would be located and Mr. Lenart explained that there would not be an onsite HOA office. Mr. Ormsby also asked how many builders were expected in the development and Mr. Lenart stated he expected to have at least two (2) builders in each phase of the development. Joshua Murray, 1762 Lake Rd. asked Mr. Lenart how the developer was going to ensure quality of the homes being built. Mr. Lenart stated that all homes were being designed by a licensed engineer as well as having established builders that have been in business for a long time.

- A. Conduct a public hearing to consider testimony and act on a resolution creating the LakePointe Development (Lenart) Public Improvement District/PID in accordance with Chapter 372 of the Texas Local Government Code; being an approximately 173.037-acre tract of land situated in the Samuel M. Rainier Survey, Abstract No. 470 and generally located southeast of the intersection of SH 78 and FM 6 and predominately within the extraterritorial jurisdiction and/or corporate limits of City of Lavon, Texas.**

Presentation of request.

Mary Petty, P3Works LLC presented slides defining the PID and explaining how the PID is utilized. In her presentation Ms. Petty included an overview of the project and the developers' requests.

PUBLIC HEARING to receive comments regarding the request.

Mayor Sanson opened the public hearing at 8:27 p.m. and invited comments in favor of or opposition to the creation of the proposed PID. The following people offered input regarding the request:

- Joshua Murray, 1762 Lake – asked Mr. Lenart how many developments he had completed and how many had been transferred to resident run HOAs. Mr. Lenart named several developments he has worked on in the last 7 years.

Mayor Sanson invited further comments. No further comments were offered. Ms. Dobbs stated that the City's PID Policy provides that approval of a development agreement precede the creation of a PID and that there is not a development agreement in final form for the City Council's consideration yet. Ms. Dobbs recommended that the public hearing be continued to the March 5, 2019 at a meeting that begins at 7:00 pm.

MOTION: LEAVE OPEN AND RECESS THE PUBLIC HEARING TO THE MARCH 5, 2019 MEETING THAT BEGINS AT 7:00 PM.

MOTION MADE: DILL
SECONDED: SERKLAND
APPROVED: UNANIMOUS

Discussion and action regarding the request.

Mayor Sanson asked Mr. Lenart if any businesses have committed to the retail space of the development. Mr. Lenart confirmed that there are no confirmed businesses at this time and clarified that the graphic concept presented was strictly conceptual. Mr. Kell commented on the anticipated assessments. There being no further discussion Mayor Sanson concluded the discussion. No action was taken.

C. Discussion and action regarding Ordinance No. 2019-02-03 amending Article 2.07 “Governance Policy and Rules of Procedure” of the Code of Ordinances to repeal and replace Section 7. Social Media Relations to further refine a social media policy.

Ms. Dobbs provided information regarding the proposed Social Media Policy. The draft Social Media Policy was distributed to the City Council on January 15, 2019 and the consensus of the Council supported the draft policy. The policy has been incorporated in the governance policy. The social media policy will be further incorporated into the personnel policy and procedure update. Ms. Serkland asked if the policy was meant for all city posts representing the city, not personal pages. Mr. Trevino, City Attorney confirmed that the policy is for all posts representing the city.

MOTION: APPROVE ORDINANCE NO. 2019-02-03 AMENDING ARTICLE 2.07 “GOVERNANCE POLICY AND RULES OF PROCEDURE” OF THE CODE OF ORDINANCES TO REPEAL AND REPLACE SECTION 7. SOCIAL MEDIA RELATIONS TO FURTHER REFINE A SOCIAL MEDIA POLICY.

MOTION MADE: KELL
SECONDED: COOK
APPROVED: UNANIMOUS

8. STAFF REPORTS

- A. Police Services** – Police Chief Mike Jones provided information and referenced the provided reports regarding traffic stops, calls for service and call breakout information and monthly reserve participation. Chief Jones provided an update on the new tactical vests pilot program being tested by a couple of the police officers. Investigator Hubbard told the council that his vest has been a positive experience and that other agencies have approached him to inquire about the trial. Officer Vargas added that the vest helped evenly distribute the weight of all the equipment. The two officers demonstrated the vest. Officer Vargas gave an update on National Night Out and appreciation for support from local businesses. She also updated the council on all the training the officers have been taking. Ms. Serkland asked about the security checks listed on the report. Chief Jones clarified that it was most often night officers checking for unlocked vehicles. Mr. Kell asked if the camera program has been successful and Chief Jones informed the council that the program has been extremely successful and there has been a lot of participation.
- B. Fire Services** – Assistant Fire Chief Danny Anthony provided the LVFD call report, membership and equipment report and ERS update. Mr. Anthony updated the LVFD call report to reflect 15 calls and informed the council that the expected delivery date for the grass truck will be the first week of March. Mr. Kell asked if the LFVD is still accepting applications. Mr. Anthony told the council that they would like to keep 30 volunteers on the roster so as of now they are still accepting applications.
- C. Public Works** – Director of Public Works Sonny Mancias provided a report regarding general public works and street maintenance including mowing and trash collection and the sewer plant expansion. Mr. Mancias also informed the council of the status of the retaining wall repair on Schirra Ct. and repair and addition of street lights on Wolf Run
- D. Administration** – Ms. Dobbs directed the Council to reports provided in the meeting packet regarding the Financial Outlooks; Building Permits Report; CWD Recycling Reports; Collin County Monthly Tax Collection Report, Sales Tax Report, TexSTAR Newsletter and the 1st quarter Investment Report.

9. EXECUTIVE SESSION

At 9:01 p.m. in accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council recessed into Executive session (closed meeting) to discuss the following:

- (a) Section 551.074: Consultation with City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rule of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: (i) LakePointe Development Agreement and (ii) Abston Hills TIRZ.
- (b) Section 551.087: Deliberation Regarding Economic Development Negotiations; Closed meeting (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Section 551.087(1).

10. RECONVENE INTO REGULAR SESSION

In accordance with Texas Governmental Code Section 551.001, et seq., Mayor Sanson reconvened the meeting at 10:21 p.m. and stated that no action was taken in executive session.

11. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS.

- March 5, 2019 continued Public Hearing and Regular Meeting at 7p.m.

12. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 10:22P.M.

DULY PASSED and APPROVED by the City Council of Lavon, Texas, on this 5th day of March 2019



Vicki Sanson
Mayor

ATTEST:



Kim Dobbs
City Administrator/City Secretary

