



**MINUTES  
MAY 7, 2019  
LAVON CITY COUNCIL  
REGULAR MEETING  
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS  
7:00 P.M.**

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ATTENDING: VICKI SANSON, MAYOR  
JOHN KELL, PLACE 1  
MIKE COOK, PLACE 2 (arrived at 7:11 P.M.)  
KAY WRIGHT, MAYOR PRO TEM, PLACE 3  
TED DILL, PLACE 4  
ABSENT: MINDI SERKLAND, PLACE 5

1. **MAYOR SANSON CALLED THE MEETING TO ORDER AT 7:01 P.M. AND ANNOUNCED A QUORUM PRESENT.**

2. **MAYOR SANSON LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND PASTOR BRAD PATTERSON DELIVERED THE INVOCATION.**

3. **PRESENTATIONS**

A. Mayor Sanson presented a proclamation in honor of Motorcycle Safety and Awareness and members of the Blacksheep Motorcycle Club shared information encouraging safe driving practices.

4. **CITIZENS COMMENTS**

None

5. **ITEMS OF INTEREST/COMMUNICATIONS**

- June 5 & 6, 2019 – Babysitter Training Course

- June 11, 2019 – Camp 911

- July 4, 2019 – tentative Pancake Breakfast hosted by resident Charlie Allen honoring John Abston

6. **CONSENT AGENDA**

A. **Approve the minutes of the April 16, 2019 meeting.**

B. **Approve a correction to the approved minutes of the March 19, 2019 meeting.**

**MOTION: APPROVE THE CONSENT AGENDA.**

MOTION MADE: WRIGHT

SECONDED: COOK

APPROVED: UNANIMOUS

Absent: SERKLAND

7. **ITEMS FOR CONSIDERATION**

Mayor Sanson recognized Brad Patterson, Pastor of First Baptist Church.

G. **Receive information from Pastor Brad Patterson, First Baptist Church of Lavon, discussion and action regarding drainage along Business 78 and in the vicinity of the church.**

Ms. Dobbs introduced Pastor Brad Patterson, First Baptist Church Lavon, who provided information regarding recent flooding in and around the church. Pastor Patterson urged the council to prioritize addressing drainage issues around the church and expressed frustration with the city's inability to address issues in facilities owned by the state and maintained by the Texas Department of Transportation (TxDOT).

Ms. Dobbs recognized that the City had experienced record rainfall and advised that the city staff and city engineer met with TxDOT earlier in the day regarding the issues around the churches and in other areas in the City. Pastor Patterson stated he met with the TxDOT Area Engineer earlier in the day and discussed potential measures to address the issue around the church property. Pastor Patterson stated he would be following up with TxDOT and agreed to keep Ms. Dobbs included in the information. Ms. Dobbs advised that the city staff would be continue their efforts to address drainage throughout the City and would report back to the City Council regarding the north Main Street area specifically.

- A. Discussion and action regarding Resolution No. 2019-05-01 authorizing the Mayor to execute a Municipal Services Agreement with First Bank Farmersville dba Independent Bank, for the purpose of offering municipal services for property described as Abstract Number 63 in the W. H. Moore Survey, containing 1.684 acres, a part of which is located in the corporate limits of the City of Lavon Collin County, Texas to be annexed into the corporate limits of the City of Lavon, Texas; calling for two public hearings.**

Ms. Dobbs explained that the property on which Independent Bank is located is partially outside of the city limits established in the original incorporation. Ms. Dobbs advised that Independent Bank expressed interest in connecting to the city's sanitary sewer system available at the 7-Eleven Addition and was informed of the City's policy that adjacent properties would annex to obtain service. The property owner submitted a petition to voluntarily annex the balance of the 1.684 acres and provided an executed written municipal services agreement as required by state law.

Acceptance of the petition and approval of the agreement were recommended with dates for public hearings identified on May 21, 2019 and June 4, 2019.

**MOTION: APPROVE RESOLUTION NO. 2019-05-01 AUTHORIZING THE MAYOR TO EXECUTE A MUNICIPAL SERVICES AGREEMENT WITH FIRST BANK FARMERSVILLE DBA INDEPENDENT BANK, FOR THE PURPOSE OF OFFERING MUNICIPAL SERVICES FOR PROPERTY DESCRIBED AS ABSTRACT NUMBER 63 IN THE W. H. MOORE SURVEY, CONTAINING 1.684 ACRES, A PART OF WHICH IS LOCATED IN THE CORPORATE LIMITS OF THE CITY OF LAVON COLLIN COUNTY, TEXAS TO BE ANNEXED INTO THE CORPORATE LIMITS OF THE CITY OF LAVON, TEXAS; CALLING FOR TWO PUBLIC HEARINGS.**

MOTION MADE: DILL  
SECONDED: KELL  
APPROVED: UNANIMOUS  
Absent: SERKLAND

- B. Discussion and action regarding Resolution No. 2019-05-02 authorizing the Mayor to execute a facilities development agreement for Traditions, Phase 2 addition.**

Ms. Dobbs advised that the Planning and Zoning Commission met prior to the City Council meeting and recommended approval of the final plat of Traditions, Phase 2 pending approval of a facilities development agreement and subject to the city engineer's approval. Ms. Dobbs noted that the final plat would be presented to the City Council at a future meeting. Mr. Kell inquired about the drainage and erosion plan for the area, specifically at Traditions West. Developer engineer David Schnurbusch, P.E., USA Engineering explained that he is working on an updated drainage and erosion plan that will be implemented at the edge of the three Traditions neighborhoods to address drainage and erosion.

**MOTION: APPROVE RESOLUTION NO. 2019-05-02 AUTHORIZING THE MAYOR TO EXECUTE A FACILITIES DEVELOPMENT AGREEMENT FOR TRADITIONS, PHASE 2 ADDITION.**

MOTION MADE: KELL  
SECONDED: WRIGHT  
APPROVED: UNANIMOUS  
Absent: SERKLAND

- C. Discussion and action regarding Resolution No. 2019-05-03 authorizing the Mayor to execute a professional services agreement with Birkhoff, Hendricks & Carter, LLP for professional engineering services related to the City of Lavon Stormwater Management Program; and providing an effective date.**

Ms. Dobbs introduced Joe Grajewski, P.E., Birkhoff, Hendricks & Carter, LLP who explained how his firm assists cities with the legally required Stormwater Management Programs (SWMP). He explained that the TCEQ requires cities to have SWMP protocols that help keep runoff and pollution from entering rivers and streams. Director of Public Works Sonny Mancias added that the SWMP gives city the authority to enforce compliance with TCEQ standards.

**MOTION: APPROVE RESOLUTION NO. 2019-05-03 AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH BIRKHOFF, HENDRICKS & CARTER, LLP FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE CITY OF LAVON STORMWATER MANAGEMENT PROGRAM; AND PROVIDING AN EFFECTIVE DATE.**

MOTION MADE: WRIGHT  
SECONDED: COOK  
APPROVED: UNANIMOUS  
Absent: SERKLAND

- D. Discussion and action regarding Ordinance No. 2019-05-01 amending Article 1.04 “Taxation” of the Code of Ordinances to authorize the levy of a tax on all telecommunications services sold in the city; providing a cumulative clause; providing a severability clause; providing for publication and providing an effective date.**

Ms. Dobbs advised that a colleague in another city informed her that the City of Lavon is not listed on the State of Texas Comptroller’s website listing of “Jurisdictions That Impose Local Sales Tax on Telecommunications Services”. Ms. Dobbs provided information about the proposed tax and explained that because the State Comptroller’s office closely protects the confidentiality of taxpayer information, it is somewhat difficult to determine what the exact impact of the sales tax would be. The City Council requested additional information and directed for the item be returned to the next meeting for consideration. No action was taken.

- E. Discussion and action regarding Ordinance No. 2019-05-02 amending Ordinance No. 2018-09-02 that approved and adopted a budget for the City for the fiscal year October 1, 2018 through September 30, 2019 to amend adopted revenues and expenditures of the budget; and providing an effective date.**

Ms. Dobbs explained that to appropriately allocate funds to cover unanticipated expenditures, to provide for revenues received in excess of budget and to allow for budget variances, a proposed budget amendment is presented for the City Council’s consideration.

**MOTION: APPROVE ORDINANCE NO. 2019-05-02 AMENDING ORDINANCE NO. 2018-09-02 THAT APPROVED AND ADOPTED A BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2018 THROUGH SEPTEMBER 30, 2019 TO AMEND ADOPTED REVENUES AND EXPENDITURES OF THE BUDGET; AND PROVIDING AN EFFECTIVE DATE.**

MOTION MADE: KELL  
SECONDED: WRIGHT  
APPROVED: UNANIMOUS  
Absent: SERKLAND

- F. Discussion and action regarding board and commission appointments – Planning and Zoning Commission, Lavon Economic Development Corporation (LEDC) Board of Directors, LVFD Board of Directors and IFC Building Board of Appeals.**

Ms. Dobbs reviewed openings and expiring terms for appointment. The City Council directed that members of the Planning and Zoning Commission be asked if they desire reappointment. It was noted

that there are no volunteer applications pending for consideration for the vacant LEDC position and staff was directed to publicize the invitation for volunteers to serve.

**MOTION: REAPPOINT CHIEF MIKE JONES TO THE LAVON VOLUNTEER FIRE DEPARTMENT BOARD OF DIRECTORS, SEAT 2; DAVID ROSENQUIST TO PLANNING & ZONING COMMISSION, SEAT 5; AND VICKI SANSON TO PLANNING AND ZONING COUNCIL LIAISON.**

MOTION MADE: WRIGHT  
SECONDED: DILL  
APPROVED: UNANIMOUS  
Absent: SERKLAND

**8. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS.**

- May 21, 2019 Regular Meeting at 7:00 p.m.
- May 21, 2019 Public Hearing regarding annexation
- Taxation for Telecommunication Services
- Update on efforts to address drainage concerns

**9. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 8:09 P.M.**

**DULY PASSED and APPROVED** by the City Council of Lavon, Texas, on this 21<sup>st</sup> day of May 2019



Vicki Sanson  
Mayor

**ATTEST:**



Kim Dobbs  
City Administrator/City Secretary

