



**MINUTES  
MAY 21, 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  
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 7:02 P.M. AND ANNOUNCED A QUORUM PRESENT.**
2. **MAYOR SANSON LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND KAY WRIGHT DELIVERED THE INVOCATION.**
3. **PRESENTATIONS**
  - A. Mayor Sanson presented a proclamation to Matt Jones, Fire Inspector and Wes Caperton, Building Inspector declaring May 2019 as Building Safety Month.
  - B. Mayor Sanson presented a proclamation to Sonny Mancias, Director of Public Works in honor of Public Works Week, May 19-25, 2019.
4. **CITIZENS COMMENTS**

Ivone Bender, 626 Langdon St, provided comments regarding drainage in and around her backyard area. Ms. Dobbs suggested that they contact one another on Wednesday to discuss the matter.
5. **ITEMS OF INTEREST/COMMUNICATIONS**
  - June 5 & 6 Babysitter Training Course
  - June 11 Camp 911
6. **CONSENT AGENDA**
  - A. **Approve the minutes of the May 7, 2019 meeting.**
  - B. **Accept the Heritage Public Improvement District #1 Assessment Report Summary dated 4/30/2019 and authorize the payment of invoices included therein.**

**MOTION: APPROVE THE CONSENT AGENDA.**  
MOTION MADE: SERKLAND  
SECONDED: DILL  
APPROVED: UNANIMOUS  
Absent: Cook
7. **ITEMS FOR CONSIDERATION**
  - A. **Public Hearing regarding the request of the owner of certain property to voluntarily annex property described as W.H. Moore Survey, Abstract 063, Sheet 2, Tract 13 situated at 1009 S. State Highway 78, consisting of the balance of 1.684 acres in Collin County, Texas into the City of Lavon.**

**Presentation of request.**

Ms. Dobbs provided information regarding the request that the City received from landowner First Bank Farmersville dba as Independent Bank for annexation for the balance of 1.684 acres of land adjacent to the city limits on April 8, 2019 and noted this is the first of two scheduled public hearings.

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

Mayor Sanson opened the public hearing at 7:16 p.m. and invited comments in favor of or opposition to the request. No comments were offered. Mayor Sanson closed the public hearing at 7:17 p.m. Mayor Sanson stated there would be a second public hearing on June 4, 2019. No action was taken.

**B. Discussion and action regarding the final plat of the Traditions, Phase 2 addition on 30.485 acres of land situated in the Drury Anglin Survey, Abstract No. 2, (CCAD Property ID 1250096), south of the intersection of Geren Dr. and Windmill Dr., Collin County, Texas and consisting of 111 residential lots.**

Ms. Dobbs provided information regarding the final plat for a residential development consisting of 111 residential lots and 2 common area lots. Ms. Dobbs stated that at the last City Council meeting a Facilities Development Agreement was approved for the development. City engineer Mark Hill, Freeman Millican Inc., pointed out that streetlights would be at each intersection and the mailbox cluster would not be lit independently. The developer and consulting engineer offered to answer questions regarding the application.

**MOTION: APPROVE THE FINAL PLAT OF THE TRADITIONS, PHASE 2 ADDITION ON 30.485 ACRES OF LAND SITUATED IN THE DRURY ANGLIN SURVEY, ABSTRACT NO. 2 (CCAD PROPERTY ID 1250096), SOUTH OF THE INTERSECTION OF GEREN DR. AND WINDMILL DR., COLLIN COUNTY, TEXAS AND CONSISTING OF 111 RESIDENTIAL LOTS.**

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

**C. Discussion and action regarding Resolution 2019-05-04 authorizing the Mayor to execute a contract with Community Waste Disposal, LP for the collection of solid waste and recyclables; and declaring an effective date.**

Ms. Dobbs reviewed the proposed contract that was prepared in accordance with City Council direction and city attorney involvement. It was noted that the rates that CWD charge the City for the service would be increased in July but that the rates the city charges customers would not be increased concurrently. The City Council directed that customer rates be reviewed in conjunction with the annual budget.

**MOTION: APPROVE RESOLUTION 2019-05-04 AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH COMMUNITY WASTE DISPOSAL, LP FOR THE COLLECTION OF SOLID WASTE AND RECYCLABLES; AND DECLARING AN EFFECTIVE DATE.**

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

**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 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 reviewed the proposed ordinance and information provided from the Texas State Comptroller's Office. Mike Smith, 649 Weston Way, described his experience with the assessment

process in other locations. Bill Evans, 587 Weston Way inquired about the rate and was informed the regular city sales tax rate of 2% would be assessed on local in state calls.

**MOTION: AMEND ARTICLE 1.04 "TAXATION" OF THE CODE OF ORDINANCES TO AUTHORIZE THE LEVY OF 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.**

MOTION MADE: WRIGHT  
SECONDED: SERKLAND  
FOR: WRIGHT, SERKLAND, SANSON  
OPPOSED: KELL, DILL  
Absent: Cook

MOTION PASSED 3-2.

- E. Discussion and action regarding Ordinance No. 2019-05-03 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, as amended, to amend adopted revenues and expenditures of the budget; and providing an effective date.**

Ms. Dobbs reviewed the previous budget amendment, current revenue and expenditure projections and the process to consolidate the Fire Marshal and Fire Operations budgets into a single departmental budget. Ms. Serkland expressed her preference for infrequent amendments to the budget.

**MOTION: APPROVE ORDINANCE NO. 2019-05-03 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, AS AMENDED, TO AMEND ADOPTED REVENUES AND EXPENDITURES OF THE BUDGET; AND PROVIDING AN EFFECTIVE DATE.**

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

- F. Discussion and action regarding Ordinance No. 2019-05-04 amending Section A4.002, "Garbage Collection Services", Article A4.000, "Utility Services", Appendix A, "Fee Schedule", of the Code of Ordinances of the City of Lavon, Texas; providing savings, repealing, and severability clauses; and providing an effective date.**

Ms. Dobbs explained that the recent contract approved for CWD provided a fee for the collection of "Unusual Accumulation" for residential and commercial customers and it was identified that no such fee was adopted in the FY 2018-19 Fee Schedule. The City Attorney recommended that a corresponding fee be adopted with the contract update.

**MOTION: APPROVE ORDINANCE NO. 2019-05-04 AMENDING SECTION A4.002, "GARBAGE COLLECTION SERVICES", ARTICLE A4.000, UTILITY SERVICES", APPENDIX A, "FEE SCHEDULE", OF THE CODE OF ORDINANCES OF THE CITY OF LAVON, TEXAS; PROVIDING SAVINGS, REPEALING AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.**

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

- G. Discussion and action regarding Resolution No. 2019-05-05 declaring a police vehicle to be surplus property and authorizing the disposition of same in a manner which is beneficial to the city.**

Chief Jones reviewed the Council's past actions to dispose of a surplus police vehicle in compliance with state law. Ms. Dobbs proposed to process the current surplus vehicle in the same manner.

**MOTION: DISCUSSION AND ACTION REGARDING RESOLUTION NO. 2019-05-05 DECLARING A POLICE VEHICLE TO BE SURPLUS PROPERTY AND AUTHORIZING THE DISPOSITION OF SAME IN A MANNER WHICH IS BENEFICIAL TO THE CITY.**

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

**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 stated that in the future he will be adding number of investigations and a Criminal Offense Report.
- B. Fire Services** – Fire Chief Danny Anthony provided the LVFD call report which indicated 28 calls for the month of April 2019 and explained the new format of the reports he has provided. Chief Anthony reported on a recent swift water rescue and also stated that the firefighters attended and took a very active role in the Shattered Dreams accident reenactment at Community High School.
- C. Public Works** – Mr. 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 recent drainage work done by TxDOT near Main St. and Forder Ct. to alleviate drainage along Main.
- D. Administration** – Ms. Dobbs referred to and answered questions regarding the reports provided in the meeting packet including the Financial Outlook; Building Permits Report; CWD Recycling Reports; Collin County Monthly Tax Collection Report; Sales Tax Report; TexStar Newsletter; Investment Report and SH 205 Update.

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


- June 4, 2019 Regular Meeting at 7p.m with Executive Session beginning at 6p.m.

**10. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 8:25 P.M.**

**DULY PASSED and APPROVED** by the City Council of Lavon, Texas, on this 4<sup>th</sup> day of June 2019.

  
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Vicki Sanson  
Mayor

ATTEST:

  
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Kim Dobbs  
City Administrator/City Secretary

