



**MINUTES
OCTOBER 15, 2019
LAVON CITY COUNCIL
REGULAR MEETING – EXECUTIVE SESSION
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS
6:00 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
Absent: MINDI SERKLAND, PLACE 5

1. MAYOR SANSON CALLED THE MEETING TO ORDER AT 6:00 P.M. AND ANNOUNCED A QUORUM PRESENT.

2. EXECUTIVE SESSION

At 6:01 p.m., in accordance with the Texas Government Code, Annotated, Subchapter 551, Mayor Sanson recessed the meeting to go into executive session (closed meeting) to discuss the following items.

- a) Section 551.071: Consultation with City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: 1) Abston Hills Development Agreement and 2) Sewer Capacity Availability Request.

3. RECONVENE FROM EXECUTIVE SESSION

In accordance with Texas Government Code, Section 551.001, et seq., Mayor Sanson reconvened the meeting at 7:08 p.m. and stated that no action was taken in executive session.

4. MAYOR SANSON LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND MS. WRIGHT DELIVERED THE INVOCATION.

5. CITIZENS COMMENTS

There were none.

6. ITEMS OF INTEREST/COMMUNICATIONS

- October 26, 2019 Fall Festival
- November 16, 2019 LEDC Small Business Bazaar

7. PRESENTATIONS

- A. Police Chief Mike Jones presented Police Officer Carissa Vargas-Flournoy with the Police Department Lifesaving Award for her heroic actions relating to a structure fire on September 1, 2019.
- B. Mayor Sanson presented a proclamation recognizing October as National Breast Cancer Awareness Month in the City of Lavon. The City Council expressed their support for breast cancer awareness by wearing Lavon Volunteer Fire Department pink shirts.
- C. Mayor Sanson presented a proclamation recognizing October as Domestic Violence Awareness Month in the City of Lavon.

8. WORK SESSION

Abra Nusser, President and CEO, Ideation Planning, presented the draft Community Vision Assessment (CVA) and Strategic Plan and proposed amendments to the Comprehensive Plan. Ms. Nusser described the collaborative process and proposed future land use plan and master thoroughfare plan. Ms. Nusser explained that the draft will become a part of the Comprehensive Plan and if the two draft and the 2013

Comprehensive Plan have a conflict, the draft will supersede. Ms. Nusser further explained that Collin County thoroughfares have been located on the Thoroughfare Map and that the Future Land Use Map was prepared with significant respect for existing subdivisions. Ms. Nusser reviewed the two-year goals outlined in the Strategic Plan and noted that the community feedback contained a theme of prosperity and economic development as areas of high interest.

Rick Mann, 8311 PR 5397, asked if there would be designated medical districts. Ms. Nusser explained that on the future land use map there are designated areas for uses such as medical facilities. Mike Smith, 649 Weston Way, acknowledged the need for hospitals and medical offices in the Lavon area. Ms. Nusser explained that having a clear stated vision will help attract medical businesses and hospital facilities among other specific types of development. Ms. Dobbs advised that two public hearings are scheduled for public input on the CVA, Strategic Plan and amendments to the Comprehensive Plan at the Planning and Zoning Meeting on October 22, 2019 at 7:00 p.m. and the City Council Meeting on November 19, 2019 at 7:00 p.m.

9. CONSENT AGENDA

- A. Approve the minutes of the September 17, 2019 meeting.**
- B. Approve Resolution No. 2019-10-01 authorizing the Mayor to execute a one-year extension of the Interlocal Cooperation Agreement with Collin County for fire inspection and fire plan review services for commercial buildings and subdivisions.**
- C. Approve Resolution No. 2019-10-02 authorizing the Mayor to execute a one-year extension of the Interlocal Dispatch Services Agreement with Collin County for emergency services dispatch services.**
- D. Accept the Heritage Public Improvement District #1 Assessment Report Summary dated 9/30/2019 and authorize the payment of invoices included therein.**

Ms. Dobbs noted the correction of a typographical error in the minutes.

MOTION: APPROVE THE CONSENT AGENDA, AS AMENDED.

MOTION MADE: KELL

SECONDED: DILL

APPROVED: UNANIMOUS

Absent: Serkland

10. ITEMS FOR CONSIDERATION

- A. Discussion and action regarding the final plat of the LakePointe Addition, Phase 1 for 223 residential lots and 5 open space tracts on 53.425 acres of land, a part of a 200.9089 acre tract described in document no. 20180821001049570 in the DRCCT and situated in the Samuel M. Rainer Survey, Abstract No. 740, (CCAD Property ID 2663916), southeast of the intersection of SH 78 and FM 6, Lavon, Collin County, Texas.**

Ms. Dobbs provided background regarding the final plat and reported that the Planning and Zoning Commission voted unanimously to recommend approval. It was further noted the City Engineer recommended approval and that developer Steve Lenart was available to answer questions.

MOTION: APPROVE THE FINAL PLAT OF THE LAKEPOINTE ADDITION, PHASE 1 FOR 223 RESIDENTIAL LOTS AND 5 OPEN SPACE TRACTS ON 53.425 ACRES OF LAND, A PART OF A 200.9089 ACRE TRACT DESCRIBED IN DOCUMENT NO. 20180821001049570 IN THE DRCCT AND SITUATED IN THE SAMUEL M. RAINER SURVEY, ABSTRACT NO. 740, (CCAD PROPERTY ID 2663916), SOUTHEAST OF THE INTERSECTION OF SH 78 AND FM 6, LAVON, COLLIN COUNTY, TEXAS.

MOTION MADE: WRIGHT

SECONDED: COOK

APPROVED: UNANIMOUS

Absent: Serkland

B. Discussion and action regarding Resolution No. 2019-10-03 authorizing the Mayor to execute a facilities development agreement for the Bear Creek Addition, Phase 3.

Ms. Dobbs provided information regarding the standard facilities development agreement and noted that the city engineer and city attorney had reviewed and recommended approval of the agreement.

MOTION: APPROVE RESOLUTION NO. 2019-10-03 AUTHORIZING THE MAYOR TO EXECUTE A FACILITIES DEVELOPMENT AGREEMENT FOR THE BEAR CREEK ADDITION, PHASE 3.

MOTION MADE: DILL
SECONDED: COOK
APPROVED: UNANIMOUS
Absent: Serkland

C. Discussion and action regarding the extension of the effective date of the preliminary plat for the Bear Creek Addition.

Ms. Dobbs provided information regarding the previous approval of the preliminary plat on August 7, 2018 and added that the applicant has requested in writing that the effective date of the preliminary plat approval be extended.

MOTION: APPROVE THE EXTENSION OF THE EFFECTIVE DATE OF THE PRELIMINARY PLAT FOR THE BEAR CREEK ADDITION, PHASES 3, 4, AND 5.

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

D. Discussion and action regarding the Final Plat of the Bear Creek Addition, Phase 3 for 161 lots on 34.2 acres of land situated in the D. Anglin Survey, Abstract No. 2, Sheet 3, Tract 140, (Collin CAD# 2630457), located south of Bear Creek Phase 2 and west CR 483, City of Lavon, Collin County, Texas.

Ms. Dobbs provided information regarding the proposed final plat and reported that the Planning and Zoning Commission had voted unanimously to recommend approval of the plat subject to the extension of the preliminary plat effective date, approval of the facilities development agreement and satisfaction of all City Engineer notes. It was noted that access to the development is initially provided on Presidents Boulevard and on CR 483 and a through-connection will be constructed in a subsequent phase to the west to connect to Crestridge Meadows and CR 484. Mark Hill, Freeman Millican, Inc., explained that the city is working with the developer on lot to lot drainage. Jim Douglas, Douglas Properties, stated that the attorneys are working on specific language to be noted on the plat and in the Homeowners' Association documents. Mr. Kell inquired as to the timing of completion of the trails and Mr. Douglas explained that grading to ensure ADA compliance precedes trail construction. Roger Mazzaresse, 567 Avery Pt., asked if the HOA was involved in the discussion regarding enforcement of drainage easement maintenance and Mr. Douglas responded that the attorneys are still working on the language.

MOTION: APPROVE THE FINAL PLAT OF THE BEAR CREEK ADDITION, PHASE 3 FOR 161 LOTS ON 34.2 ACRES OF LAND SITUATED IN THE D. ANGLIN SURVEY, ABSTRACT NO. 2, SHEET 3, TRACT 140 (COLLIN CAD #2630457), LOCATED SOUTH OF BEAR CREEK PHASE 2 AND WEST OF CR 483, CITY OF LAVON, COLLIN COUNTY, TEXAS SUBJECT TO THE FINAL APPROVAL OF THE CITY ATTORNEY AND CITY ENGINEER.

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

E. Discussion and action regarding Resolution No. 2019-10-04 authorizing the Mayor to enter into a Finance Contract with Government Capital Corporation for the lease-purchase of a Breathing Air Compressor System for the Fire Department not to exceed \$33,000.00 plus interest and fees.

Ms. Dobbs reviewed that the equipment was approved in the FY 19-20 budget for \$33,000 including interest and fees. Fire Chief Danny Anthony advised that the budget funding was for a reconditioned single-fill model that would require upgrading to a double-fill station in the near future. Chief Anthony explained that he had since obtained a superior quote for a brand-new double-fill station that included a better warranty, installation, and extended maintenance for \$2950 than was budgeted. Mike Patricka, Metro Fire explained that the proposed system would have a service life of at least 15-20 years and would more than adequately meet the needs of a growing Department. Ms. Dobbs noted that Metro Fire is a member of an approved purchasing cooperative. Ms. Dobbs explained that the additional funding was available in other equipment lines in the Fire Department budget and that the change in allocation could be presented in a budget amendment. Chief Anthony recommended approval.

MOTION: APPROVE RESOLUTION NO. 2019-10-04 AUTHORIZING THE MAYOR TO ENGTER INTO A FINANCE CONTRACT WITH GOVERNMENT CAPITAL CORPORATION FOR THE LEASE-PURCHASE OF A BREATHING AIR COMPRESSOR SYSTEM FOR THE FIRE DEPARTMENT NOT TO EXCEED \$33,000.00 PLUS INTEREST AND FEES.

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

F. Discussion and action regarding Ordinance No. 2019-10-01 amending Chapter 4, “Building Regulations”, of the Code of Ordinances of the City of Lavon by amending Article 4.05 “Signs”, to adopt rules, regulations, procedures, relating to variable messaging signs; providing for severability, savings and repealing clauses; and providing for an effective date of the ordinance.

Ms. Dobbs presented an amendment to the “Sign Ordinance” to more specifically define and regulate variable messaging signs as previously discussed by the City Council and requested by the Mayor. Mr. Kell stated he believes that other areas of the code need to be updated and would prefer a more comprehensive approach to an overall revision, particularly one that is generally friendly to businesses. Mike Smith, 649 Weston Way, offered that in his 12 years of experience as a Councilperson in another city that a more restrictive sign code that provides for variances provides for the greatest success and outcome.

MOTION: APPROVE ORDINANCE NO. 2019-10-01 AMENDING CHAPTER 4, “BUILDING REGULATIONS”, OF THE CODE OF ORDINANCES OF THE CITY OF LAVON BY AMENDING ARTICLE 4.05 “SIGNS”, TO ADOPT RULES, REGULATIONS, PROCEDURES, RELATING TO VARIABLE MESSAGING SIGNS; PROVIDING FOR SEVERABILITY, SAVINGS AND REPEALING CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THE ORDINANCE.

MOTION MADE: WRIGHT
SECONDED: COOK
MOTION PASSED THREE TO ONE OF THOSE PRESENT.
FOR: COOK, WRIGHT, DILL
OPPOSED: KELL
Absent: Serkland

7. STAFF REPORTS

- A. Police Services** –Chief Jones provided information and referenced the provided reports regarding traffic stops, calls for service and call breakout information and monthly reserve participation. Chief Jones explained that the pink notices residents have been receiving on their vehicles for parking violations have been successfully used for educating the public and added that ticketing of the

violations will begin soon. Officer Vargas passed out the community liaison report and noted that the officers visited 14 neighborhoods during National Night Out.

B. Fire Services – Chief Anthony announced that the “Pink” shirts worn by the LVFD and City Council are available for sale and to contact Tracy Filo for information. He noted that four members were in fire school and the LVFD roster was full. Chief Anthony invited everyone to attend the LVFD Station on October 31 for trick or treating.

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 provides a report regarding the construction status of the wastewater treatment plant expansion, Crestridge Meadows, Lavon Farms, Bear Creek and LakePointe developments.

D. Administration – Ms. Dobbs referenced and offered to answer questions regarding the reports provided in the meeting packet regarding the Financial Outlooks; Building Permits Report; CWD Recycling Reports; Sales Tax Report and the TxDOT SH 205 Status Report.

8. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS.

- October 22, 2019 Planning & Zoning Meeting and CVA Public Hearing 7:00 p.m.
- November 5, 2019 Regular Council Meeting
- November 19, 2019 Regular Council Meeting and CVA Public Hearing 7:00 p.m.

9. 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 5th day of November 2019



Vicki Sanson
Mayor

ATTEST:



Kim Dobbs
City Administrator/City Secretary

