



**MINUTES
MARCH 17, 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
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 7:02 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. CITIZENS COMMENTS

Joshua Murray, 1762 Lake Rd., Collin County, stated concern regarding economic conditions and the housing industry and first-time homebuyers.

4. ITEMS OF INTEREST/COMMUNICATIONS

- LVFD Board Meeting Thursday - March 12, 2020 for NIMS
- P&Z - March 24, 2020
- Mayoral Proclamation was read for "National Medal of Honor Day - March 25"

5. CONSENT AGENDA

A. Approve the minutes of the March 3, 2020 meeting.

B. Approve Task Order #4 with Freeman-Millican, Inc. for professional engineering services relating to the preparation of a Preliminary Design for Main Street Sanitary Sewer not to exceed \$3,300.00.

C. Accept the Heritage Public Improvement District #1 Assessment Report Summary dated 2/29/2020 and authorize the payment of invoices included therein.

MOTION: APPROVE THE CONSENT AGENDA.

MOTION MADE: WRIGHT

SECONDED: KELL

APPROVED: UNANIMOUS

6. ITEMS FOR CONSIDERATION

A. Public hearing, discussion and action regarding establishing a curfew for minors and parental responsibility; setting the hours of curfew for minors; providing for affirmative defenses to prosecution; providing a penalty not to exceed five hundred dollars (\$500.00) for each offense; providing severability and providing an effective date.

Presentation of Request.

City Administrator Kim Dobbs provided information regarding the curfew and explained that this was the second of two public hearings. Ms. Dobbs added that police warnings are typically employed to gain voluntary compliance and that no tickets have been written for curfew violations since August 2016. Ms. Dobbs reported that Police Chief Jones has expressed his support for the curfew.

PUBLIC HEARING regarding the request.

Mayor Sanson opened the public hearing at 7:12 p.m. and invited comments for or against the request. There being no comments, Mayor Sanson closed the public hearing at 7:12 p.m.

MOTION: APPROVE ORDINANCE NO. 2020-03-02 RENEWING AND ESTABLISHING, AS PREVIOUSLY ESTABLISHED BY ORDINANCE NO. 2016-08-01, A CURFEW FOR MINORS AND PARENTAL RESPONSIBILITY; SETTING THE HOURS OF CURFEW FOR MINORS; PROVIDING FOR AFFIRMATIVE DEFENSES TO PROSECUTION; PROVIDING A PENALTY NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

MOTION MADE: SERKLAND
SECONDED: DILL
APPROVED: UNANIMOUS

- B. Discussion and action regarding Resolution No. 2020-03-02 recognizing the authority of the Lavon Volunteer Fire Department to seek reimbursement for costs associated with hazardous materials abatement, environmental incidents and safety and rescue responses.**

Ms. Dobbs reviewed the agreement with Sure Fire Recovery Services, LLC, and their services relating to the recovery of costs of providing services and at no direct cost to the City or the LVFD.

MOTION: APPROVE RESOLUTION NO. 2020-03-02 RECOGNIZING THE AUTHORITY OF THE LAVON VOLUNTEER FIRE DEPARTMENT TO SEEK REIMBURSEMENT FOR COSTS ASSOCIATED WITH HAZARDOUS MATERIALS ABATEMENT, ENVIROMENTAL INCIDENTS AND SAFETY AND RESCUE RESPONSES.

MOTION MADE: DILL
SECONDED: WRIGHT
APPROVED: UNANIMOUS

- C. Discussion and action regarding Resolution No. 2020-03-03 approving and authorizing the Mayor to execute a Change Order to the construction contract with Heritage Constructors, Inc. for the City of Lavon Bear Creek Wastewater Treatment Plant, Phase 3 Expansion in an amount not to exceed \$20,000.00 for the addition of two valves and modification of piping at the lift station; and providing an effective date.**

Ms. Dobbs provided information regarding the Change Order and its necessity and stated it provides the most efficient and cost-effective solution for the construction.

MOTION: APPROVE RESOLUTION NO. 2020-03-03 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A CHANGE ORDER TO THE CONSTRUCTION CONTRACT WITH HERITAGE CONSTRUCTORS, INC. FOR THE CITY OF LAVON BEAR CREEK WASTEWATER TREATMENT PLANT, PHASE 3 EXPANSION IN AN AMOUNT NOT TO EXCEED \$20,000.00 FOR THE ADDITION OF TWO VALVES AND MODIFICATION OF PIPING AT THE LIFT STATION; AND PROVIDING AN EFFECTIVE DATE.

MOTION MADE: WRIGHT
SECONDED: SERKLAND
APPROVED: UNANIMOUS

- D. Discussion and action regarding Resolution No. 2020-03-04 authorizing the Mayor to execute an Interlocal Agreement for Mowing and Maintenance with the Northeast Texas Rural Rail District (NETEX); and providing an effective date.**

Ms. Dobbs informed the council that County Commissioner Cheryl Williams contacted the City about participating in a cooperative effort to maintain the NETEX right of way in the City. Clarification of mowing and maintenance duties was recommended. Ms. Dobbs noted that the City Attorney reviewed and approved the proposed agreement.

MOTION: APPROVE RESOLUTION NO. 2020-03-04 AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT FOR MOWING AND MAINTENANCE WITH THE NORTHEAST TEXAS RURAL RAIL DISTRICT (NETEX); AND PROVIDING AN EFFECTIVE DATE.

MOTION MADE: WRIGHT
SECONDED: KELL
APPROVED: UNANIMOUS

E. Discussion and action regarding Resolution No. 2020-03-05 accepting a petition for addition of lands to Heritage Public Improvement District No. 1 (Residential) and calling for a public hearing.

Ms. Dobbs provided information regarding the petition for addition of two parcels of land to the existing Heritage No. 1 Public Improvement District (PID) and informed the council that notice of public hearing must be published in the newspaper and mailed to each property owner in the proposed addition at least 15 days prior to the date of the public hearing on April 7, 2020. PID Administrator Mary Petty, P3Works, provided additional information and answered questions.

MOTION: APPROVE RESOLUTION NO. 2020-03-05 ACCEPTING A PETITION FOR ADDITION OF LANDS TO HERITAGE PUBLIC IMPROVEMENT DISTRICT NO. 1 (RESIDENTIAL) AND CALLING FOR A PUBLIC HEARING.

MOTION MADE: KELL
SECONDED: DILL
APPROVED: UNANIMOUS

F. Discussion and action regarding Board and Commission Appointments.

Ms. Dobbs presented a spreadsheet of appointments and volunteer applications. Ms. Serkland clarified that residency is required on all but the LEDC Board.

MOTION: FOR VACANT UNEXPIRED TERMS, APPOINT JOSE GARCIA TO THE LAVON ECONOMIC DEVELOPMENT CORPORATION BOARD, JENNA CURLY TO THE PLANNING & ZONING COMMISSION AND JENNIFER WHITE TO THE PARKS & RECREATION BOARD.

MOTION MADE: WRIGHT
SECONDED: KELL
APPROVED: UNANIMOUS

G. Discussion and action regarding the appointment of chairpersons for the Planning & Zoning Commission and Reinvestment Zone#1 (TIF) Board of Directors.

MOTION: APPOINT KAY WRIGHT AS CHAIRMAN OF THE REINVESTMENT ZONE#1 (TIF) BOARD OF DIRECTORS AND DAVID ROSENQUIST AS CHAIRMAN OF THE PLANNING & ZONING COMMISSION.

MOTION MADE: SERKLAND
SECONDED: COOK
APPROVED: UNANIMOUS

H. Discussion and action regarding the Public Utility Commission of Texas inquiry relating to the 2020 consumer price index (CPI) adjustment to municipal telecommunications right-of-way access lines rates.

Ms. Dobbs provided information regarding the 2020 consumer price index (CPI) adjustment to municipal telecommunications right-of-way access lines rates, stated that the line rates are paid by the telecommunications companies to the City to compensate for using the city's right-of-way and explained that if the City takes no action, the increase will automatically be implemented. The consensus of the Council was for no action to be taken in order to allow the rates to be implemented as presented. No action was taken.

I. Discussion and action regarding preparation, process, advisories and declarations relating to the 2019 Coronavirus Disease (COVID-19).

Ms. Dobbs presented information relating to the Coronavirus (COVID-19) and actions being undertaken by various agencies and public partners. Ms. Dobbs stated that at the time of agenda posting, there were none but potential county and state orders and city council action were anticipated. The staff reviewed and the City Council discussed and expressed support for the following actions and steps:

- Mayor’s 3-16-2020 Disaster Declaration - emergency reimbursement and aid options – City Council to renew if needed in 7 days on 03-23-2020; County Judge 3-16-2020 Proclamation
- Adopt National Incident Management System (NIMS) – Ms. Dobbs advised that staff believed the City had previously adopted NIMS and were looking for the documentation. In the meantime, Ms. Dobbs suggested adopting by resolution in case it had not already been done.
- Consider Draft Business Disruption Plan (BDP).
- Close city facilities to the public; remain fully-staffed – 2-3 weeks. Close City Hall & gym, Municipal Court, Police Department Offices for as long as needed.
- Conduct telephonic Public Meetings per Open Meetings Act.
- Provide salary continuation for COVID-19 related leave for up to two weeks.
- Temporarily suspend disconnection for delinquent utility payments.
- Cancel Breakfast with the Bunny on 04-04-2020.
- Suspend training and meetings, ie. LVFD – postpone HazMat class; LVFD regular meeting

Ms. Dobbs reviewed several communications and resources for the City Council’s information:

- President’s Coronavirus Guidelines for America: 15 Days to Slow the Spread
- TML Coronavirus Update #2
- Financial Advisor Credit Outlook
- City Attorney memo – Public Information Act
- Texas Attorney General: Open Meeting Laws Subject to Temporary Suspension
- Collin County Update
- Area Closures and Modified Closures: Community ISD
Bear Creek SUD
Collin Central Appraisal District
City of Farmersville

MOTION: APPROVE RESOLUTION NO. 2020-03-06 ADOPTING THE IMPLEMENTATION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM; PROVIDING AN EFFECTIVE DATE.

MOTION MADE: SERKLAND
SECONDED: WRIGHT
APPROVED: UNANIMOUS

7. DEPARTMENT REPORTS

- A. Police Services** – reports regarding traffic stops, calls for service and call breakout information.
- B. Fire Services** – call report.
- C. Public Works** – report regarding general public works and street maintenance including mowing and trash collection and the sewer plant expansion construction status of the wastewater treatment plant expansion and subdivisions in progress. The Mayor acknowledged the quick and through service of the Public Works Department for the graffiti removal at Eagle Pond and the City Council expressed appreciation.
- D. Administration** – Ms. Dobbs referenced and offered to answer questions regarding the reports provided in the meeting packet including the Financial Outlooks; Building Permits Report; CWD

Recycling Reports; Collin County Tax Collection Report; Sales Tax Report and the TxDOT SH 205 Status Report.

8. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS.

April 7, 2020 7 p.m. Regular City Council Meeting

9. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 8:27 P.M.

DULY PASSED and APPROVED by the City Council of Lavon, Texas, on this 7th day of April 2020.



Vicki Sanson
Mayor

ATTEST:



Kim Dobbs
City Administrator/City Secretary

