



**MINUTES
NOVEMBER 17, 2020
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
 MINDI SERKLAND, PLACE 5
Absent: TED DILL, PLACE 4

1. **MAYOR SANSON CALLED THE MEETING TO ORDER AT 6:01 P.M. AND ANNOUNCED A QUORUM PRESENT.**
2. **MAYOR SANSON OBSERVED A MOMENT OF SILENCE.**
3. **ISSUANCE OF OATH OF OFFICE TO NEWLY ELECTED COUNCIL MEMBERS.**

City Administrator Kim Dobbs reported that the Oaths of Office had been administered to the newly elected Council Members, John Kell, Place 1, Kay Wright, Place 3 and Mindi Serkland, Place 5 in person prior to the council meeting.

4. **EXECUTIVE SESSION**

At 6:05 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 items pursuant to Section 551.071 (2); under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

- 1) Section 551.071 (2) Consultation with 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 the Texas Open Meetings Act regarding an agreement for the provision of sanitary sewer service in an unincorporated area.

5. **RECONVENE INTO REGULAR SESSION**

In accordance with Texas Government Code, Section 551.001, et seq., Mayor Sanson reconvened the meeting at 6:54 p.m. and stated that no action was taken in executive session.

6. **CITIZENS COMMENTS**

Gary Chapman, 490 Harding, expressed concerns about the Main St. and Geren intersection. Ms. Dobbs provided information about the CIP project for this area and invited Mr. Chapman to contact her directly for more information.

7. **ITEMS OF INTEREST/COMMUNICATIONS**

- The Lavon Economic Development Corporation (LEDC) Shop Lavon Coupon promotion will begin November 20th.
- Carter Blood Care at Lavon City Hall December 19, 2020 beginning at 1p.m.

8. **CONSENT AGENDA**

- A. **Approve the minutes of the November 3, 2020 meeting.**

MOTION: APPROVE THE CONSENT AGENDA.

MOTION MADE: WRIGHT

SECONDED: COOK

APPROVED: UNANIMOUS (Absent: Dill)

9. ITEMS FOR CONSIDERATION

(Mayor Sanson differed Item A)

B. Discussion and action regarding Resolution No. 2020-11-05 adopting a Tax Abatement Policy including guidelines, criteria, and procedures.

Ms. Dobbs provided background information and explained that the resolution has been recommended for approval by the LEDC and may be used to encourage potential new investment and non-residential development in the city. Pam Mundo, LEDC Executive Director, explained it will be used a tool to attract commercial developments and answered questions. Ms. Serkland suggested that the minimum threshold for consideration be reduced from ten to five million dollars.

MOTION: APPROVE RESOLUTION NO. 2020-11-05 ADOPTING A TAX ABATEMENT POLICY INCLUDING GUIDELINES, CRITERIA, AND PROCEDURES, AMENDING THE CRITERIA TO \$5,000.000.

MOTION MADE: KELL
SECONDED: SERKLAND
APPROVED: UNANIMOUS (Absent: Dill)

C. Discussion and action regarding Resolution No. 2020-11-06 approving and authorizing the Mayor to execute an amendment to the professional services agreement with Caperton Construction Inspections adopted by Resolution No. 2018-08-02 to adjust the fee for professional services for plan review and building inspections.

Ms. Dobbs provided information regarding the rate increase request from Caperton Construction Inspections.

MOTION: APPROVE RESOLUTION NO. 2020-11-06 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH CAPERTON CONSTRUCTION INSPECTIONS ADOPTED BY RESOLUTION NO. 2018-08-02 TO ADJUST THE FEE FOR PROFESSIONAL SERVICES FOR PLAN REVIEW AND BUILDING INSPECTIONS.

MOTION MADE: WRIGHT
SECONDED KELL
APPROVED: UNANIMOUS (Absent: Dill)

D. Discussion and action regarding the appointment of a deputy city attorney to serve as the Municipal Court Prosecutor.

Ms. Dobbs noted the retirement of City of Lavon Court Prosecutor Matt Garcia, who has served for twenty-two years. Mr. Garcia recommended a colleague, Scott McMichael, as a replacement.

MOTION: APPOINT SCOTT MCMICHAEL AS A DEPUTY CITY ATTORNEY, TO SERVE AS THE MUNICIPAL COURT PROSECUTOR.

MOTION MADE: SERKLAND
SECONDED: WRIGHT
APPROVED: UNANIMOUS (Absent: Dill)

E. Discussion and action to nominate and appoint a Mayor Pro-Tempore for a term that expires in November 2021.

MOTION: APPOINT KAY WRIGHT AS MAYOR PRO-TEMPORE FOR A TERM THAT EXPIRES IN NOVEMBER 2021.

MOTION MADE: SERKLAND
SECONDED: COOK
APPROVED: UNANIMOUS (Absent: Dill)

F. Discussion and action regarding possible application to the Texas Department of Agriculture for a 2021-22 Texas Community Development Block Grant (TxCDBG) and appointment of a

Selection Review Committee to perform procurement of professional services and engineering services related thereto.

Ms. Dobbs provided background information regarding the TxCBDG program, potential projects, and the process for applying for the grant.

MOTION: AUTHORIZE THE STAFF TO TAKE NECESSARY STEPS TO PROCURE ADMINISTRATIVE AND PROFESSIONAL SERVICES AND APPOINT MAYOR VICKI SANSON, MAYOR PRO-TEM KAY WRIGHT AND CITY ADMINISTRATOR KIM DOBBS TO SERVE AS THE TXCDBG SELECTION REVIEW COMMITTEE.

MOTION MADE: SERKLAND
SECONDED: COOK
APPROVED: UNANIMOUS (Absent: Dill)

G. Discussion and action regarding orders and regulations, programming, city facilities and operations related to COVID-19.

Ms. Dobbs reported on the November 7, 2020 Proclamation from Governor Greg Abbott extending the Statewide Disaster Declaration for COVID-19. Telephonic meetings will continue until further noted. No action was taken.

10. DEPARTMENT REPORTS

- A. Police Services** – Information was provided and referenced regarding traffic stops, calls for service and call breakout information.
- B. Fire Services** – Chief Danny Anthony provided information and referenced the call service report, equipment report and training. Mr. Kell provided information for upcoming first aid classes to be given to local foster families on December 5, 2020.
- C. Public Works** – Director of Public Works David Carter provided information regarding general public works, street maintenance including mowing and trash collection, the delivery of the new excavator and the code enforcement report. City Engineer Mark Hill provided a brief update on the Capital Improvements Plan projects status.
- D. Administration** – Ms. Dobbs directed the Council to reports provided in the meeting packet regarding the Building Permits Report; Collin County Monthly Tax Collection Report, Sales Tax Report, LOGIC and TexStar Newsletter; and general staff reports.

RECONVENE INTO EXECUTIVE SESSION

At 7:47 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 items pursuant to Section 551.071 (2); under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

- 2) Section 551.071 (2) Consultation with 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 the Texas Open Meetings Act regarding an agreement for the provision of sanitary sewer service in an unincorporated area.

RECONVENE INTO REGULAR SESSION

In accordance with Texas Government Code, Section 551.001, et seq., Mayor Sanson reconvened the meeting at 7:52 p.m. and stated that no action was taken in executive session.

(Item 9A was deferred from the beginning of the meeting)

ITEMS FOR CONSIDERATION

- A. Discussion and action regarding Resolution No. 2020-11-04 approving and authorizing the Mayor to execute a Wastewater Service and Development Agreement with MA Partners, LLC for approximately 291.068 acres of property situated in the extraterritorial jurisdiction of the City of Lavon and City of Nevada.**

Ms. Dobbs reviewed the terms of the proposed agreement.

MOTION: APPROVE RESOLUTION NO. 2020-11-04 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A WASTEWATER SERVICE AND DEVELOPMENT AGREEMENT WITH MA PARTNERS, LLC FOR APPROXIMATELY 291.068 ACRES OF PROPERTY SITUATED IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF LAVON AND CITY OF NEVADA SUBJECT TO CITY ATTORNEY APPROVAL.

MOTION MADE: WRIGHT

SECONDED: KELL

APPROVED: UNANIMOUS (Absent: Dill)

11. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS.

- December 1, 2020 Regular Council Meeting at 7 p.m. to be conducted telephonically.
- It was noted that Ms. Serkland and Mr. Cook may be absent for the regular December 15 meeting.

12. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 7:57 P.M.

DULY PASSED and APPROVED by the City Council of Lavon, Texas, on this 1st day of December 2020



Vicki Sanson
Mayor

ATTEST:



Rae Norton
City Secretary

