



MINUTES
JANUARY 5, 2021
LAVON CITY COUNCIL
REGULAR MEETING
7:00 PM
TELEPHONIC MEETING

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 7:00 P.M. AND ANNOUNCED A QUORUM PRESENT.**
2. **MAYOR SANSON OBSERVED A MOMENT OF SILENCE.**
3. **EXECUTIVE SESSION**

At 7:03 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 municipal services 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 7:32 p.m. and stated that no action was taken in executive session

4. PROCLAMATION AND RECOGNITION

Mayor Sanson presented a proclamation in observance of Martin Luther King Jr. Day on January 18, 2021.

Mayor Sanson reviewed the recognition certificate from the United States Census Bureau for the 2020 Census noting 82% of City of Lavon residents self-responded.

5. CITIZENS COMMENTS

There were none.

6. ITEMS OF INTEREST/COMMUNICATIONS

- Congratulations were made to the Fire Department for the Santa Parade through the city and the new storm siren that was successfully tested on Tuesday, January 5, 2021.
- LEDC awarded more than \$9,300 to local business for the Holiday Coupon Campaign.

7. CONSENT AGENDA

A. Approve the minutes of the December 15, 2020 meeting.

MOTION: APPROVE THE CONSENT AGENDA.

MOTION MADE: WRIGHT

SECONDED: COOK

APPROVED: UNANIMOUS (Absent: Dill)

8. ITEMS FOR CONSIDERATION

- A. Public hearing, discussion, and action regarding the application of Ashlee Williamson for a conditional use permit to construct an 800 sq. ft. accessory structure that is 1) 240 sq. ft. larger than permitted and 2) does not have separate access to a public road or street at 9615 Sunset Dr., Lavon, TX.**

Presentation of request.

City Administrator Kim Dobbs provided location information, application specifics and reviewed the code requirements necessitating a conditional use permit (CUP). Ms. Dobbs provided the Planning & Zoning Commission Meeting Report at which the Commission unanimously voted to recommend approval of the request.

PUBLIC HEARING to receive comments regarding the request.

Mayor Sanson opened the public hearing at 7:45 p.m. and invited comments in favor or opposition of the request. There being no comments, Mayor Sanson closed the public hearing at 7:46 p.m.

Discussion and action regarding the request.

Ms. Dobbs reported that requisite public hearing notice was posted, published and nine (9) neighbor notices were mailed to the owners of properties located within 200 feet of the applicant's property. Two (2) notices were returned in favor of and none in opposition to the request. The applicant was available to answer questions.

MOTION: APPROVE THE APPLICATION OF ASHLEE WILLIAMSON FOR A CONDITIONAL USE PERMIT TO CONSTRUCT AN 800 SQ. FT. ACCESSORY STRUCTURE THAT IS 1) 240 SQ. FT. LARGER THAN PERMITTED AND 2) DOES NOT HAVE SEPARATE ACCESS TO A PUBLIC ROAD OR STREET AT 9615 SUNSET DR., LAVON, TX AND ORDINANCE NO. 2021-01-01.

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

- B. Public hearing regarding the submission of an application to the Texas Department of Agriculture in conjunction with the 2021-2022 Texas Community Development Block Grant (TxCDBG) Program.**

Presentation of request.

Ms. Dobbs provided information regarding the Texas CDBG application process.

PUBLIC HEARING to receive comments regarding the submission.

Mayor Sanson opened the public hearing at 7:51 p.m. and invited input and feedback regarding potential construction projects to be funded by the grant. There being no comments, Mayor Sanson closed the public hearing at 7:52p.m.

No action was taken.

- C. Discussion and action regarding Resolution No. 2021-01-01 approving and authorizing the Mayor to execute a Change Order to the construction contract with GRod Construction, LLC for the City of Lavon Wolf Run Ditch Improvements (CIP-8) Construction Project in an amount not to exceed \$6,092.00 for two additional driveway culverts and associated driveway replacement; and providing an effective date.**

Ms. Dobbs provided information regarding the construction project and City Engineer Mark Hill answered questions.

MOTION: APPROVE RESOLUTION NO. 2021-01-01 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A CHANGE ORDER TO THE CONSTRUCTION CONTRACT WITH GROD CONSTRUCTION, LLC FOR THE CITY OF LAVON WOLF RUN DITCH

IMPROVEMENTS (CIP-8) CONSTRUCTION PROJECT IN AN AMOUNT NOT TO EXCEED \$6,092.00 FOR TWO ADDITIONAL DRIVEWAY CULVERTS AND ASSOCIATED DRIVEWAY REPLACEMENT; AND PROVIDING AN EFFECTIVE DATE.

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

- D. Discussion and action regarding Ordinance No. 2021-01-02 calling for a Special Election on May 1, 2021, to submit a ballot proposition to the qualified voters of the city for the reauthorization of the local sales and use tax in the City of Lavon at the rate of one half of one percent (0.50%) to continue providing revenue for maintenance and repair of municipal streets; designating that the election shall be conducted by Collin County pursuant to the terms of the city's contract for election services with the county; providing a severability clause, for publication and for an effective date.**

Ms. Dobbs reported that in the calendar year 2020, the City of Lavon received \$159,661 in sales tax that was dedicated strictly to the maintenance of roads. Ms. Dobbs added that pursuant to state law, the street maintenance tax will expire on October 1, 2021 if not reauthorized. It was further noted that if the citizens fail to reauthorize the 0.5% sales tax, it is possible for another taxing entity to enact the 0.5% for another purpose permanently.

MOTION: APPROVE ORDINANCE NO. 2021-01-02 CALLING FOR A SPECIAL ELECTION ON MAY 1, 2021, TO SUBMIT A BALLOT PROPOSITION TO THE QUALIFIED VOTERS OF THE CITY FOR THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE CITY OF LAVON AT THE RATE OF ONE HALF OF ONE PERCENT (0.50%) TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; DESIGNATING THAT THE ELECTION SHALL BE CONDUCTED BY COLLIN COUNTY PURSUANT TO THE TERMS OF THE CITY'S CONTRACT FOR ELECTION SERVICES WITH THE COUNTY; PROVIDING A SEVERABILITY CLAUSE, FOR PUBLICATION AND FOR AN EFFECTIVE DATE.

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

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

Ms. Dobbs reported on the recent developments relating to the COVID-19 Vaccine distribution. Mayor Sanson reported on a proposal, extended a couple of hours prior to the Council meeting, from the Collin County for the city to partner with the county in various ways to advance vaccine distribution. The first item was to join efforts for a centralized county waiting list for vaccinations. The second was for the City to operate a vaccination clinic where city staff would administer vaccinations. The consensus of the City Council was to participate in the waiting list and decline the clinic operations due to limited staff. Governor Abbott extended the declaration and telephonic meetings will continue until further notice. Discussion of delinquent utility accounts will be included on the next agenda. It was determined that the January 12 meeting that was planned to occur in person will be conducted virtually in light of the virus trends.

9. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS.

- January 19, 2021 Regular Council Meeting at 7 p.m.
- January 12, 2021 Comprehensive Plan Kick-Off via Video Conference at 6:30pm

10. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 8:26 P.M.

DULY PASSED and APPROVED by the City Council of Lavon, Texas, on this 19th day of January 2021.



Vicki Sanson
Mayor



ATTEST:



Rae Norton
City Secretary