



**MINUTES  
DECEMBER 7, 2021  
LAVON CITY COUNCIL  
REGULAR MEETING  
7:00 PM**

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ATTENDING: VICKI SANSON, MAYOR  
JOHN KELL, MAYOR PRO TEM PLACE 1  
MIKE COOK, PLACE 2  
KAY WRIGHT, PLACE 3  
TED DILL, PLACE 4  
MINDI SERKLAND, PLACE 5

1. **MAYOR SANSON CALLED THE MEETING TO ORDER AT 7:00 P.M. AND ANNOUNCED A QUORUM PRESENT.**
2. **MAYOR SANSON LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND MR. KELL DELIVERED THE INVOCATION.**
3. **CITIZENS COMMENTS**

There were none.

4. **ITEMS OF INTEREST/COMMUNICATIONS**

- 2021 Holiday Grease Roundup, November 22-January 10. Collection container at 120 School Rd.

5. **CONSENT AGENDA**

- A. **Approve the minutes of the November 15, 2021 meeting.**
- B. **Approve the minutes of the November 16, 2021 meeting.**
- C. **Approve Resolution No. 2021-12-01 approving the purchase of approximately 0.750 acres of land located at 328 Forder Court and authorizing the City Administrator to execute all agreements and documents related to the purchase.**
- D. **Approve Resolution No. 2021-12-02 approving and authorizing the Mayor to execute an interlocal cooperation agreement with the City of Wylie, Texas for jail services; and providing an effective date.**
- E. **Approve Resolution No. 2021-12-03 approving a Workplace Safety Policy Statement - Texting and Cell Phone Operation While Driving.**

**MOTION: APPROVE THE CONSENT AGENDA.**

MOTION MADE: SERKLAND

SECONDED: COOK

APPROVED: UNANIMOUS

6. **ITEMS FOR CONSIDERATION**

- A. **Public hearing, discussion, and action regarding an application for a special use permit to construct a Temporary Concrete Batch Plant in the Bear Creek Phase 4 Addition, on 29.468 acres described as a part of the D. Anglin Survey, Abstract No. 2, Tract 140, City of Lavon, Texas located south of the intersection of Winterwood Dr. and Alder Dr. in Bear Creek Phase 4 and 156 feet west of CR 483, Lavon, Collin County, Texas (CCAD Property ID 2630457) requested by Chris Harp Construction.**

**Presentation of request.**

City Administrator Kim Dobbs provided information and introduced Aaron Harp, Chris Harp Construction, who provided details regarding the application for a special use permit to construct a temporary concrete batch plant for construction in Bear Creek, Phase 4.

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

Mayor Sanson opened the public hearing at 7:09 p.m. and invited comments for or against the application. There being no comments, Mayor Sanson closed the public hearing at 7:09 p.m.

**Discussion and action regarding the request.**

Ms. Dobbs noted that notice was posted, published in the newspaper, and two (2) neighbor notices were mailed, with one returned in favor of the request. Ms. Dobbs provided a report from the Planning and Zoning Commission including the Commission's unanimous recommendation for approval. Brian Cottle, Chief Estimator, Chris Harp Construction, provided additional information and answered questions.

**MOTION: APPROVE ORDINANCE NO. 2021-12-01 AMENDING THE CODE OF ORDINANCES TO GRANT A SPECIAL USE PERMIT FOR CONSTRUCTION OF A TEMPORARY CONCRETE BATCH PLANT BEAR CREEK PHASE 4.**

MOTION MADE: WRIGHT  
SECONDED: DILL  
APPROVED: UNANIMOUS

- B. Public hearing, discussion, and action regarding an amendment to Article 9.03 ZONING ORDINANCE, Division 5. Regulations Applicable to Residential Districts by adding to each district section: "Air Conditioning Units and Mechanical Equipment. Air conditioning units and similar mechanical equipment, such as heat pumps, solar collecting equipment, or pool equipment may be installed within the residential side yard setback but shall not be installed within three (3) feet of any side yard fencing, air conditioning unit/pad, or mechanical equipment of an adjacent home or structure" as Sec.9.03.111(e)(4), Sec. 9.03.112(e)(4), Sec.9.03.113(e)(2) and Sec. 9.03.114(e)(2); and retitling and renumbering Sec. 9.03.113(e) to Sec. 9.03.113(e)(1); and Sec. 9.03.114(e) to Sec. 9.03.114(e)(1).**

**Presentation of the request.**

Ms. Dobbs provided background and information regarding the proposed amendment to Article 9.03 ZONING ORDINANCE, Division 5.

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

Mayor Sanson opened the public hearing at 7:13 p.m. and invited comments for or against the application. There being no comments, Mayor Sanson closed the public hearing at 7:14 p.m.

**Discussion and action regarding the request.**

Ms. Dobbs noted that public notice was posted and published in the newspaper. Ms. Dobbs provided a report from the Planning and Zoning Commission including the Commission's unanimous recommendation for approval.

**MOTION: APPROVE ORDINANCE NO. 2021-12-02 APPROVING AN AMENDMENT TO ARTICLE 9.03 ZONING ORDINANCE, DIVISION 5. REGULATIONS APPLICABLE TO RESIDENTIAL DISTRICTS BY ADDING TO EACH DISTRICT SECTION: "AIR CONDITIONING UNITS AND MECHANICAL EQUIPMENT. AIR CONDITIONING UNITS AND SIMILAR MECHANICAL EQUIPMENT, SUCH AS HEAT PUMPS, SOLAR COLLECTING EQUIPMENT, OR POOL EQUIPMENT MAY BE INSTALLED WITHIN THE RESIDENTIAL SIDE YARD SETBACK BUT SHALL NOT BE INSTALLED WITHIN THREE (3) FEET OF ANY SIDE YARD FENCING, AIR CONDITIONING UNIT/PAD, OR MECHANICAL EQUIPMENT OF AN ADJACENT HOME OR STRUCTURE" AS SEC.9.03.111(E)(4), SEC. 9.03.112(E)(4), SEC.9.03.113(E)(2) AND SEC. 9.03.114(E)(2); AND**

**RETITLING AND RENUMBERING SEC. 9.03.113(E) TO SEC. 9.03.113(E)(1); AND SEC. 9.03.114(E) TO SEC. 9.03.114(E)(1).**

MOTION MADE: KELL  
SECONDED: COOK  
APPROVED: UNANIMOUS

**C. Discussion, and action regarding the acceptance of the public infrastructure for the LakePointe, Phase 2A Addition.**

Ms. Dobbs provided background information and Mark Hill, City Engineer, recommended acceptance of the subdivision public infrastructure.

**MOTION: ACCEPT THE PUBLIC INFRASTRUCTURE FOR THE LAKEPOINTE, PHASE 2A ADDITION SUBJECT TO THE CITY ENGINEER'S APPROVAL.**

MOTION MADE: WRIGHT  
SECONDED: SERKLAND  
APPROVED: UNANIMOUS

**D. Discussion and action regarding acceptance of the public infrastructure for the RaceTrac Addition.**

Ms. Dobbs provided background information and Mark Hill, City Engineer, recommended acceptance of the public infrastructure.

**MOTION: ACCEPT THE PUBLIC INFRASTRUCTURE FOR THE RACETRAC ADDITION SUBJECT TO THE CITY ENGINEER'S APPROVAL.**

MOTION MADE: DILL  
SECONDED: KELL  
APPROVED: UNANIMOUS

**E. Discussion and action regarding acceptance of the public infrastructure for the Elevon Phase 1 Offsite Sanitary Sewer Trunk Main project.**

Ms. Dobbs provided background information and Mark Hill, City Engineer, recommended acceptance of the subdivision infrastructure subject to provisions outlined in his letter.

**MOTION: ACCEPT THE PUBLIC INFRASTRUCTURE FOR THE ELEVON PHASE 1 OFFSITE SANITARY SEWER TRUNK MAIN PROJECT SUBJECT TO THE ACCEPTANCE OF ELEVON, SECTION 1, PHASES 1A AND 1B SANITARY SEWER INFRASTRUCTURE AND FURTHER PROVIDED THAT THE WARRANTY PERIOD FOR THE OFFSITE SANITARY SEWER TRUNK MAIN PROJECT WILL NOT BEGIN UNTIL SUCH ACCEPTANCE.**

MOTION MADE: KELL  
SECONDED: SERKLAND  
APPROVED: UNANIMOUS

**F. Discussion and action regarding Resolution No. 2021-12-04 determining the costs of certain authorized improvements to be financed by the Elevon Public Improvement District; approving a Preliminary Service Plan and Assessment Plan, including proposed Assessment Rolls; calling a meeting and noticing a public hearing for January 4, 2022 to consider an ordinance levying assessments on property located within the Elevon Public Improvement District; directing the filing of the proposed Assessment Rolls with the City Secretary to make available for public inspection; directing city staff to publish and mail notice of said public hearing; and resolving other matters incident and related thereto.**

Ms. Dobbs introduced Greg Schaecher, Bond Counsel who provided information regarding the Elevon PID Preliminary Service Plan and Assessment Plan and related process. Ms. Dobbs noted that a special meeting may be required on January 11, 2022 if needed to complete the process.

**MOTION: APPROVE RESOLUTION NO. 2021-12-04 DETERMINING THE COSTS OF CERTAIN AUTHORIZED IMPROVEMENTS TO BE FINANCED BY THE ELEVON PUBLIC IMPROVEMENT DISTRICT; APPROVING A PRELIMINARY SERVICE PLAN AND ASSESSMENT PLAN, INCLUDING PROPOSED ASSESSMENT ROLLS; CALLING A MEETING AND NOTICING A PUBLIC HEARING FOR JANUARY 4, 2022 TO CONSIDER AN ORDINANCE LEVYING ASSESSMENTS ON PROPERTY LOCATED WITHIN THE ELEVON PUBLIC IMPROVEMENT DISTRICT; DIRECTING THE FILING OF THE PROPOSED ASSESSMENT ROLLS WITH THE CITY SECRETARY TO MAKE AVAILABLE FOR PUBLIC INSPECTION; DIRECTING CITY STAFF TO PUBLISH AND MAIL NOTICE OF SAID PUBLIC HEARING; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO.**

MOTION MADE: WRIGHT  
SECONDED: SERKLAND  
APPROVED: UNANIMOUS

**G. Presentation, discussion and action regarding the preliminary concepts and highlights of the Comprehensive Plan update.**

Abra Nusser, AICP, Peloton Land Solutions, presented preliminary concepts and highlights of the update to the Comprehensive Plan, including updates to the Future Land Use Plan and Thoroughfare Plan. The City Council discussed the presentation, provided information, and directed Ms. Nusser to move forward with the draft update, including presenting the highlights to the public on [www.PlanLavon.com](http://www.PlanLavon.com).

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

No updated or new information presented or discussed.

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


The City Council directed that the regular December 21, 2021 meeting be cancelled.

January 4, 2022 – regular meeting


January 11, 2022 – special meeting

**10. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 8:19 P.M.**

**DULY PASSED and APPROVED** by the City Council of Lavon, Texas, on this 4<sup>th</sup> day of January 2021.

  
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Vicki Sanson, Mayor

ATTEST:

  
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Rae Norton, City Secretary

