



**MINUTES  
AUGUST 1, 2023  
LAVON CITY COUNCIL  
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS  
REGULAR MEETING  
6:30 P.M.**

---

ATTENDING: VICKI SANSON, MAYOR  
JOHN KELL, PLACE 1  
MIKE COOK, PLACE 2  
KAY WRIGHT, PLACE 3, MAYOR PRO TEM

ABSENT: TED DILL, PLACE 4  
LINDSEY HEDGE, PLACE 5

1. **MAYOR SANSON CALLED THE MEETING TO ORDER AT 6:30 P.M. AND ANNOUNCED A QUORUM PRESENT.**
2. **MAYOR SANSON LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND DELIVERED THE INVOCATION.**
3. **ITEMS OF INTEREST/COMMUNICATIONS**
  - CISD Back to School Bash, August 5, 2023, beginning at 4:30 p.m.
  - Candidate Filing period for Mayor and Council Places 2 & 4 is open until August 21, 2023, at 5:00 p.m.

4. **CITIZENS COMMENTS**

There were no citizen comments.

5. **CONSENT AGENDA**

- A. **Approve the minutes of the July 18, 2023, meeting.**
- B. **Approve Resolution No. 2023-08-01 approving and authorizing the execution of a one-year extension of the Interlocal Agreement with Collin County for fire inspection and fire plan review services for commercial buildings and subdivisions.**
- C. **Approve Resolution No. 2023-08-02 approving and authorizing the execution of an interlocal agreement with Region 8 Education Service Center for cooperative purchasing services through The Interlocal Purchasing System (TIPS).**

**MOTION: APPROVE THE CONSENT AGENDA.**

MOTION MADE: WRIGHT

SECONDED: KELL

APPROVED: UNANIMOUS (Absent: Dill, Hedge)

6. **ITEMS FOR CONSIDERATION**

- A. **Public Hearing, discussion, and action regarding the 2023-2025 Lavon Strategic Plan.**

**Presentation of the proposed Strategic Plan.**

Abra Nusser, Peloton Land Solutions, presented details regarding the proposed 2023-2025 Lavon Strategic Plan.

**PUBLIC HEARING** to received comments regarding the proposed Lavon Strategic Plan.

Mayor Sanson opened the public hearing at 6:51 p.m. and invited comments for or against the proposed Strategic Plan. There being no comments, Mayor Sanson closed the public hearing at 6:51 p.m.

**Discussion and action regarding the proposed Lavon Strategic Plan.**

**MOTION: APPROVE THE DRAFT LAVON STRATEGIC PLAN AS PRESENTED.**

MOTION MADE: KELL  
SECONDED: COOK  
APPROVED: UNANIMOUS (Absent: Dill, Hedge)

- B. Public Hearing, discussion, and action regarding an amendment to Article 9.03 of the City of Lavon Code of Ordinances – Zoning to amend Ordinance No. 2004-09-05 that established the Grand Heritage Planned Development to remove the commercial site plan public hearing requirement, restrict commercial height requirements, adjust the permitted uses, remove residential minimum floor area requirements, and adjust compatibility setback dimensions, screening, and buffering requirements on approximately 89.275 acres of land situated on the southeast corner of SH 205 and SH 78 and on the north side of SH 78, on several tracts of land within approximately 1,500 feet east and west of Grand Heritage Boulevard.**

**Presentation of proposed amendment,**

City Manager Kim Dobbs provided information and a report from the Planning and Zoning Commission recommending approval. Ms. Dobbs explained that the proposed amendment is similar to and no less restrictive than the regulations applied to the Retail District. Abra Nusser, Peloton Land Solutions added background and details regarding the proposed amendment. Ms. Dobbs noted that sixty-nine (69) neighborhood notices were mailed with three (3) returned in favor and one (1) against.

**PUBLIC HEARING to receive comments regarding the proposed amendment.**

Mayor Sanson opened the public hearing at 7:04 p.m. and invited comments for or against the proposed amendment. There being no comments, Mayor Sanson closed the public hearing at 7:04 p.m.

**Discussion and action regarding the proposed amendment and accompanying Ordinance.**

**MOTION: APPROVE ORDINANCE NO. 2023-08-01 AMENDING THE GRAND HERITAGE PLANNED DEVELOPMENT (PD) DISTRICT REGULATIONS ESTABLISHED BY ORDINANCE NO. 2004-09-05, TO REMOVE COMMERCIAL PUBLIC HEARING REQUIREMENTS, RESTRICT COMMERCIAL HEIGHT REQUIREMENTS, ADJUST THE PERMITTED USES, REMOVE RESIDENTIAL MINIMUM FLOOR AREA REQUIREMENTS, AND ADJUST COMPATIBILITY SETBACK DIMENSIONS, SCREENING, AND BUFFERING REQUIREMENTS ON APPROXIMATELY 89.275 ACRES OF LAND SITUATED ON THE SOUTHEAST CORNER OF SH 205 AND SH 78 AND ON THE NORTH SIDE OF SH 78, ON SEVERAL TRACTS OF LAND WITHIN APPROXIMATELY 1,500 FEET EAST AND WEST OF GRAND HERITAGE BOULEVARD; PROVIDING A PENALTY CLAUSE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING SAVINGS, REPEALING AND SEVERABILITY CLAUSES; PROVING FOR PUBLICATION; PROVIDING FOR AN EFFECTIVE DATE; AND FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

MOTION MADE: WRIGHT  
SECONDED: COOK  
APPROVED: UNANIMOUS (Absent: Dill, Hedge)

- C. Public hearing, discussion, and action regarding an application for a conditional use permit in a Retail (R) District to operate a tattoo studio at 450 S. SH 78, Suite #140, Lavon Business Park, Blk A, Lot 2, Lavon, Collin County, TX (CCAD Property ID 2539017) requested by JH2 Enterprises, L.L.C. *Note: the applicant has withdrawn the application.***

Ms. Dobbs provided information and a report from the Planning and Zoning Commission recommending denial of the application. Ms. Dobbs advised that the applicant has withdrawn the application. At 7:04 p.m., Mayor Sanson opened the public hearing as advised by the city attorney and invited comments for or against the proposed application. There being no comments, Mayor Sanson closed the public hearing at 7:04 p.m.

As the applicant withdrew the application, no action was taken.

- D. Public Hearing, discussion and action regarding the site plan and landscape plan for Spec's on Lot 2A, Block A of the Highway 205 Tract, Phase 2, at 900 S. SH 78, southwest of the intersection of SH 78 and Burleson Dr., Lavon, Collin County, Texas (CCAD Property ID 2614673).**

**PRESENTATION of proposed site plan and landscape plan.**

Ms. Dobbs presented information regarding the site plan and landscape plan and provided a report from the Planning and Zoning Commission recommending approval. Juan Vasquez, Vasquez Engineering, L.L.C., 1919 S. Shiloh Rd., presented details regarding the proposed site plan and landscape plan.

**PUBLIC HEARING to receive comments regarding the proposed site plan.**

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

**Discussion and action regarding the proposed site plan and landscape plan.**

**MOTION: APPROVE THE SITE PLAN AND LANDSCAPE PLAN FOR SPEC'S ON LOT 2A, BLOCK A OF THE HIGHWAY 205 TRACT, PHASE 2, AT 900 S. SH 78, SOUTHWEST OF THE INTERSECTION OF SH 78 AND BURLESON DR., LAVON, COLLIN COUNTY, TEXAS, SUBJECT TO CITY ENGINEER APPROVAL.**

MOTION MADE: WRIGHT  
SECONDED: COOK  
APPROVED: UNANIMOUS (Absent: Dill, Hedge)

- E. Discussion, and action regarding the short-form final plat of the Lavon JP Office Addition consisting of 2 non-residential lots on 2.387 acres of land, situated in the W. H. Moore Survey, A-638 at 1025 S. SH 78, northwest of the intersection of SH 205 and SH 78, Lavon, Collin County, TX (CCAD Property ID 2632625).**

Ms. Dobbs provided information regarding the plat and a report from the Planning and Zoning Commission recommending approval.

**MOTION: APPROVE THE SHORT-FORM FINAL PLAT OF THE LAVON JP OFFICE ADDITION CONSISTING OF 2 NON-RESIDENTIAL LOTS ON 2.387 ACRES OF LAND, SITUATED IN THE W. H. MOORE SURVEY, A-638 AT 1025 S. SH 78, NORTHWEST OF THE INTERSECTION OF SH 205 AND SH 78, LAVON, COLLIN COUNTY, TX.**

MOTION MADE: KELL  
SECONDED: COOK  
APPROVED: UNANIMOUS (Absent: Dill, Hedge)

- F. Discussion and action regarding the final plat of the 78 Commercial East Addition consisting of 1 non-residential lot on 1.24 acres situated in the W. H. Moore Survey, A-638 at 701 S. SH 78, northeast of the intersection of Grand Heritage Boulevard and SH 78, Lavon, Collin County, TX (CCAD Property ID 2614649).**

Ms. Dobbs provided information regarding the final plat and a report from the Planning and Zoning Commission recommending approval.

**MOTION: APPROVE THE FINAL PLAT OF THE 78 COMMERCIAL EAST ADDITION CONSISTING OF 1 NON-RESIDENTIAL LOT ON 1.24 ACRES SITUATED IN THE W. H. MOORE SURVEY, A-638 AT 701 S. SH 78, NORTHEAST OF THE INTERSECTION OF GRAND HERITAGE BOULEVARD AND SH 78, LAVON, COLLIN COUNTY, TX., SUBJECT TO THE APPROVAL OF THE CITY ENGINEER.**

MOTION MADE: COOK  
SECONDED: KELL  
APPROVED: UNANIMOUS (Absent: Dill, Hedge)

- G. Discussion and action regarding Resolution No. 2023-08-03 approving and authorizing the execution of Change Order No. 2 to the construction contract with Summit Solutions, Inc. for the City of Lavon -North Lift Station (CIP-38) Construction Project to add larger electrical manholes and additional conduit for more efficient phasing in future wastewater treatment plant control equipment in an amount not to exceed \$58,800.00; and providing an effective date.**

Ms. Dobbs and City Engineer Mark Hill provided information regarding Change Order No. 2 to the current construction contract with Summit Solutions, Inc.

**MOTION: APPROVE RESOLUTION NO. 2023-08-03 APPROVING AND AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 2 TO THE CONSTRUCTION CONTRACT WITH SUMMIT SOLUTIONS, INC. FOR THE CITY OF LAVON -NORTH LIFT STATION (CIP-38) CONSTRUCTION PROJECT TO ADD LARGER ELECTRICAL MANHOLES AND ADDITIONAL CONDUIT FOR MORE EFFICIENT PHASING IN FUTURE WASTEWATER TREATMENT PLANT CONTROL EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$58,800.00; AND PROVIDING AN EFFECTIVE DATE.**

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

- H. Discussion and action regarding Resolution No. 2023-08-04 approving and authorizing the execution of Change Order No. 3 to the construction contract with Summit Solutions, Inc. for the City of Lavon -North Lift Station (CIP-38) Construction Project to add approximately 430 feet of gravel access road that was not included in the Elevon Parkway project to connect the lift station and wastewater treatment plant site to Elevon Parkway, in an amount not to exceed \$64,844.75; and providing an effective date.**

Ms. Dobbs and Mr. Hill provided information regarding Change Order No. 3 to the current construction contract with Summit Solutions, Inc.

**MOTION: APPROVE RESOLUTION NO. 2023-08-04 APPROVING AND AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 3 TO THE CONSTRUCTION CONTRACT WITH SUMMIT SOLUTIONS, INC. FOR THE CITY OF LAVON -NORTH LIFT STATION (CIP-38) CONSTRUCTION PROJECT TO ADD APPROXIMATELY 430 FEET OF GRAVEL ACCESS ROAD THAT WAS NOT INCLUDED IN THE ELEVON PARKWAY PROJECT TO CONNECT THE LIFT STATION AND WASTEWATER TREATMENT PLANT SITE TO ELEVON PARKWAY, IN AN AMOUNT NOT TO EXCEED \$64,844.75; AND PROVIDING AN EFFECTIVE DATE.**

MOTION MADE: COOK  
SECONDED: WRIGHT  
APPROVED: UNANIMOUS (Absent: Dill, Hedge)

- I. Discussion and action regarding Resolution No. 2023-08-05 approving and authorizing the execution of Change Order No. 4 to the construction contract with North Texas Contracting, Inc. for the City of Lavon Bently Farms, Phase 1 Paving and Storm Drain (CIP-24)**

**Construction Project to reduce the original project scope and reduce the contract amount by \$107,523.00; and providing an effective date.**

Mr. Hill provided information regarding Change Order No. 4 to the current construction contract with North Texas Contracting, Inc.

**MOTION: APPROVE RESOLUTION NO. 2023-08-05 APPROVING AND AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 4 TO THE CONSTRUCTION CONTRACT WITH NORTH TEXAS CONTRACTING, INC. FOR THE CITY OF LAVON BENTLY FARMS, PHASE 1 PAVING AND STORM DRAIN (CIP-24) CONSTRUCTION PROJECT TO REDUCE THE ORIGINAL PROJECT SCOPE AND REDUCE THE CONTRACT AMOUNT BY \$107,523.00; AND PROVIDING AN EFFECTIVE DATE.**

MOTION MADE: WRIGHT  
SECONDED: COOK  
APPROVED: UNANIMOUS (Absent: Dill, Hedge)

- J. Discussion and action regarding Resolution No. 2023-08-06 approving and authorizing the execution of Change Order No. 7 to the construction contract with Mart, Inc. for the City of Lavon Fire Department and Public Works Facilities Expansion (CIP-9) Construction Project in an amount not to exceed \$8,737.26 to replace a drainage flume to improve drainage at the Police Department; and providing an effective date.**

Ms. Dobbs provided information regarding Change Order No. 7 to the construction contract with Mart, Inc.

**MOTION: APROVE RESOLUTION NO. 2023-08-06 APPROVING AND AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 7 TO THE CONSTRUCTION CONTRACT WITH MART, INC. FOR THE CITY OF LAVON FIRE DEPARTMENT AND PUBLIC WORKS FACILITIES EXPANSION (CIP-9) CONSTRUCTION PROJECT IN AN AMOUNT NOT TO EXCEED \$8,737.26 TO REPLACE A DRAINAGE FLUME TO IMPROVE DRAINAGE AT THE POLICE DEPARTMENT; AND PROVIDING AN EFFECTIVE DATE.**

MOTION MADE: KELL  
SECONDED: COOK  
APPROVED: UNANIMOUS (Absent: Dill, Hedge)

- K. Discussion and action regarding Resolution No. 2023-08-07 approving and authorizing the execution of Change Order No. 9 to the construction contract with Mart, Inc. for the City of Lavon Fire Department and Public Works Facilities Expansion (CIP-9) Construction Project in an amount not to exceed \$70,994.40 to expand the original project scope to expand the concrete parking area to serve the police, fire, and public works facilities; and providing an effective date.**

Ms. Dobbs provided information regarding Change Order No. 9 to the construction contract with Mart, Inc.

**MOTION: APPROVE RESOLUTION NO. 2023-08-07 APPROVING AND AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 9 TO THE CONSTRUCTION CONTRACT WITH MART, INC. FOR THE CITY OF LAVON FIRE DEPARTMENT AND PUBLIC WORKS FACILITIES EXPANSION (CIP-9) CONSTRUCTION PROJECT IN AN AMOUNT NOT TO EXCEED \$70,994.40 TO EXPAND THE ORIGINAL PROJECT SCOPE TO EXPAND THE CONCRETE PARKING AREA TO SERVE THE POLICE, FIRE, AND PUBLIC WORKS FACILITIES; AND PROVIDING AN EFFECTIVE DATE.**

MOTION MADE: COOK  
SECONDED: WRIGHT  
APPROVED: UNANIMOUS (Absent: Dill, Hedge)

- L. Discussion and action regarding Resolution No. 2023-08-08 approving and authorizing the execution of utility easements granted from MA Elevon 429, L.L.C., MA Land Holdings, L.L.C.,**

**78 Straddle L.P., MA Lavon 292, L.L.C., BTR at Elevon, L.L.C., and the City of Lavon to the City of Lavon related to the Elevon Parkway West Addition and Elevon West Commercial Phase 1 Addition; and providing an effective date.**

Ms. Dobbs provided information regarding the proposed easements. Daniel Dewey, P.E., JBI provided information on behalf of the developer.

**MOTION: APPROVE RESOLUTION NO. 2023-08-08 APPROVING AND AUTHORIZING THE EXECUTION OF UTILITY EASEMENTS GRANTED FROM MA ELEVON 429, L.L.C., MA LAND HOLDINGS, L.L.C., 78 STRADDLE L.P., MA LAVON 292, L.L.C., BTR AT ELEVON, L.L.C., AND THE CITY OF LAVON TO THE CITY OF LAVON RELATED TO THE ELEVON PARKWAY WEST ADDITION AND ELEVON WEST COMMERCIAL PHASE 1 ADDITION; AND PROVIDING AN EFFECTIVE DATE.**

MOTION MADE: KELL

SECONDED: WRIGHT

APPROVED: UNANIMOUS (Absent: Dill, Hedge)

## **7. BUDGET WORK SESSION**

Ms. Dobbs and the staff provided reports regarding budget and regulatory requirements, tax rate requirements, financial status for current fiscal year, budget calendar, anticipated commitments, departmental service levels, fee schedule, and projected needs for FY 2022-23. The City Council reviewed departmental requests and future Capital Improvements Plan (CIP) project rankings and provided direction for preparation of the final proposed budget.

## **8. BUDGET AND TAX RATE ITEMS FOR CONSIDERATION**

### **A. Public hearing and discussion regarding the proposed fiscal year 2023-24 Annual Budget, Capital Improvements Plan, and Fee Schedule.**

Ms. Dobbs presented information regarding the proposed Budget and Fee Schedule and Mark Hill, Freeman Millican, Inc., presented the CIP and provided details regarding the proposed plan.

**PUBLIC HEARING to receive comments regarding the proposed Annual Budget, Capital Improvements Plan, and Fee Schedule.**

Mayor Sanson opened the public hearing at 8:31 p.m. and invited comments and input regarding the proposed Annual Budget, Capital Improvements Plan, and Fee Schedule. There being no comments, Mayor Sanson closed the public hearing at 8:32 p.m.

**Discussion regarding the proposed Annual Budget, Capital Improvements Plan, and Fee Schedule.**

No action was taken. Ms. Dobbs reported that in order to meet statutory time requirements a mandatory public hearing regarding the proposed budget would be scheduled for the August 15, 2023, regular meeting at 6:30 p.m. Ms. Dobbs noted that additional public hearings for the fee schedule and CIP would also be scheduled to gather feedback.

### **B. Discussion and action regarding the proposed tax rate and conduct a record vote to call a public hearing for Tuesday, August 15, 2023, at 6:30 p.m.**

The City Council discussed the general fund, interest and sinking fund and utility fund, and no-new-revenue, voter-approval and de minimis tax rates. The City Council discussed the proposed tax rate of 0.420000 per \$100 valuation that is greater than the no-new-revenue tax rate and the voter-approval tax rate and less than the de minimis tax rate. It was also observed that the proposed tax rate is 0.01 less than the current tax rate.

Ms. Dobbs noted that the proposed tax rate will provide revenue needed to expand services, and in most cases, homeowners will experience an increase of approximately \$22.58 on a \$100,000 home in 2023 compared to 2022.

The City Council confirmed their understanding that the proposed tax rate would not require an automatic election, but that an election could be petitioned in accordance with state law. Ms. Dobbs advised that required notices in a form prescribed by law will be published in the newspaper and on the City's website.

**MOTION: I MOVE THAT THE PROPERTY TAX RATE BE INCREASED BY THE ADOPTION OF A TAX RATE OF 0.420000, WHICH IS EFFECTIVELY AN 8.57 PERCENT INCREASE IN THE TAX RATE.**

MOTION MADE: SANSON

SECONDED: COOK

As required by state law, a record vote was taken:

PLACE 1-JOHN KELL	FOR
PLACE 2-MIKE COOK	FOR
PLACE 3-KAY WRIGHT	FOR
PLACE 4-TED DILL	ABSENT
PLACE 5-LINDSEY HEDGE	ABSENT

APPROVED: UNANIMOUS

**9. EXECUTIVE SESSION**

No executive session was held.

**10. RECONVENE INTO REGULAR SESSION**


**11. SET FUTURE MEETINGS AND AGENDA**

August 15, 2023- Regular Meeting

Public Hearing on Budget, Capital Improvements Plan, Tax Rate, and Fee Schedule.

**12. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 8:36 P.M.**

**DULY PASSED and APPROVED** by the City Council of Lavon, Texas, on this 15<sup>th</sup> day of August 2023.

  
\_\_\_\_\_  
Vicki Sanson, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Rae Norton, City Secretary

