



**MINUTES**  
**AUGUST 20, 2024**  
**LAVON CITY COUNCIL**  
**CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS**  
**REGULAR MEETING**

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ATTENDING: VICKI SANSON, MAYOR  
MIKE SHEPARD, PLACE 1  
MIKE COOK, PLACE 2, MAYOR PRO TEM  
KAY WRIGHT, PLACE 3  
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 KAY WRIGHT DELIVERED THE INVOCATION.**
3. **ITEMS OF INTEREST/COMMUNICATIONS**
  - Coffee with Cops at Dunkin' Donuts 8/24, 9am-11am
  - Ribbon Cutting at FBC Preschool Academy 9/4/2024 at noon.
  - Starbucks Ribbon Cutting tentative 9/23/2024
  - Lavon Citywide Block Party/NNO October 1, 2024, 6pm-8pm at City Hall
4. **CITIZENS COMMENTS**

There were none.
5. **PROCLAMATION**

Mayor Sanson and the City Council presented a proclamation in support of the North Texas Food Bank "Spread the Hope" Peanut Butter Drive 2024.
6. **CONSENT AGENDA**
  - A. **Approve the minutes of the August 6, 2024, meeting.**
  - B. **Approve Ordinance No. 2024-08-04 approving the 2024 Annual Service Plan Update and Assessment Rolls for the LakePointe Public Improvement District; and providing an effective date.**
  - C. **Approve Resolution No. 2024-08-08 authorizing the private re-sale of and authorizing the expenditure of \$13,585.00 for purchase of a bid-off tax property pursuant to judgements and orders issued by the District Courts of Collin County in Cause No. 471-00918-2020.**
  - D. **Approve Resolution No. 2024-08-09 approving and authorizing the execution of a contract with the Collin County Elections Administrator for Election Services related to the City's November 5, 2024, General Election.**
  - E. **Approve Resolution No. 2024-08-10 accepting Sanitary Sewer Easement granted to the City of Lavon by Bloomfield Homes, L.P. relating to the construction and development of Bear Creek, Phase 5.**
  - F. **Approve Resolution No. 2024-08-11 accepting Sanitary Sewer Easements, a Right of Way Dedication, and a Utility Easement granted to the City of Lavon by MA Elevon 429, LLC relating to the construction and development of Elevon, Section 2, Phase 2E.**

- G. Approve Resolution No. 2024-08-12 approving and authorizing the execution of an Assessment Collection Services Agreements with Collin County for the Trails of Lavon Public Improvement District Improvement Area No. 2; and providing for an effective date.

**MOTION: APPROVE THE CONSENT AGENDA.**

MOTION MADE: WRIGHT  
SECONDED: HEDGE  
APPROVED: UNANIMOUS

**7. ITEMS FOR CONSIDERATION**

- A. Public Hearing, discussion, and action regarding proposed amendments to the City's Master Thoroughfare Plan in relation to the Elevon development project and a park design in the vicinity of Bear Creek and FM 2755.

**PRESENTATION of proposed amendment.**

City Manager Kim Dobbs provided information and Abra Nusser, LJA, provided a presentation regarding the Master Thoroughfare Plan amendment details including location exhibits. Developer Justin Christ, S2DL also participated in the discussion.

**PUBLIC HEARING continued from August 6, 2024, to receive comments regarding the proposed amendment.**

Mayor Sanson opened and continued the public hearing at 6:53 p.m. There being no comments, Mayor Sanson closed the public hearing at 6:54 p.m.

**Discussion and action regarding the proposed amendments.**

**MOTION: APPROVE ORDINANCE NO. 2024-08-05 APPROVING AMENDMENTS TO THE CITY'S MASTER THOROUGHFARE PLAN IN RELATION TO THE ELEVON DEVELOPMENT PROJECT AND A PARK DESIGN IN THE VICINITY OF BEAR CREEK AND FM 2755 AND DIRECT LJA TO PREPARE A MAP UPDATE.**

MOTION MADE: WRIGHT  
SECONDED: SHEPARD  
APPROVED: UNANIMOUS

- B. Public Hearing, discussion, and action regarding Resolution No. 2024-08-13 approving a Negotiated Settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2024 Rate Review Mechanism Filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attachment establishing a benchmark for pensions and retiree medical benefits; requiring the Company to reimburse ACSC's reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the Company and the ACSC's legal counsel.

**PRESENTATION of proposed Resolution.**

Ms. Dobbs provided information regarding the Atmos Cities Steering Committee rate review and Daniel Vazquez, Atmos Energy was available for questions.

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

Mayor Sanson opened the public hearing at 7:01 p.m. to receive comments regarding the proposed resolution. There being no comments Mayor Sanson closed the public hearing at 7:02 p.m.

**Discussion regarding the proposed resolution and settlement.**

**MOTION: APPROVE RESOLUTION NO. 2024-08-13 APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2024 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.**

MOTION MADE: COOK  
SECONDED: DILL  
APPROVED: UNANIMOUS

- C. Public Hearing, discussion and action regarding the application of Express Signs for a variance to Article 4.05 SIGNS of the Code of Ordinances to Section 4.05.008 Approved Signs and Standards (b)(3) Wall Signs to permit approximately 189.5 square feet in total wall sign area that is 129.5 square feet greater than permitted for Scrubbies Car Wash on Lot 1, Block A of the 78 Commercial East Addition at 701 S. SH 78, northeast of the intersection of SH 78 and Grand Heritage Blvd., Lavon, Collin County, Texas (CCAD Property ID 2900304).**

**PRESENTATION of application**

Ms. Dobbs provided information regarding the application for a variance. Owner Zach Sewell and Shelby Tippit, Express Signs, detailed the request and answered questions. Discussion included a potential limit on the hours of sign illumination. The staff was directed to assess the sign illumination of other businesses in the vicinity and bring back to the City Council if any limit their illumination times.

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

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

**Discussion and action regarding the application.**

**MOTION: APPROVE THE APPLICATION OF EXPRESS SIGNS FOR A VARIANCE TO ARTICLE 4.05 SIGNS OF THE CODE OF ORDINANCES TO SECTION 4.05.008 APPROVED SIGNS AND STANDARDS (B)(3) WALL SIGNS TO PERMIT APPROXIMATELY 189.5 SQUARE FEET IN TOTAL WALL SIGN AREA THAT IS 129.5 SQUARE FEET GREATER THAN PERMITTED FOR SCRUBBIES CAR WASH ON LOT 1, BLOCK A OF THE 78 COMMERCIAL EAST ADDITION AT 701 S. SH 78, NORTHEAST OF THE INTERSECTION OF SH 78 AND GRAND HERITAGE BLVD., LAVON, COLLIN COUNTY, TEXAS.**

MOTION MADE: WRIGHT  
SECONDED: COOK  
APPROVED: UNANIMOUS

- D. Discussion and action regarding Ordinance No. 2024-08-06 to amend the fee schedule adopted by Ordinance No. 2023-08-10 for the Fiscal Year October 1, 2023, through September 30, 2024, as amended, to add fire permit and inspection fees.**

Ms. Dobbs provided information regarding the amendments to the fee schedule.

**MOTION: APPROVE ORDINANCE NO. 2024-08-06 TO AMEND THE FEE SCHEDULE ADOPTED BY ORDINANCE NO. 2023-08-10 FOR THE FISCAL YEAR OCTOBER 1, 2023, THROUGH SEPTEMBER 30, 2024, AS AMENDED, TO ADD FIRE PERMIT AND INSPECTION FEES.**

MOTION MADE: SHEPARD  
SECONDED: HEDGE  
APPROVED: UNANIMOUS

**E. Staff report and discussion regarding the installation of a traffic signal at the intersection of SH 78, LakePointe Boulevard and future Cedar Street.**

Ms. Dobbs provided an update regarding the installation of a traffic signal.

No action was taken.

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

**A. Public hearing, discussion, and action regarding the 2024 proposed tax rate of 0.420000 per \$100 valuation, which represents an increase in the property tax rate which is effectively a 7.28% increase.**

**Presentation of the tax rate.**

Ms. Dobbs presented the proposed tax rate that the City Council directed be used for the Fiscal Year 2023-24 Annual Budget. The proposed total tax rate of \$0.420000 per hundred dollars appraised valuation, a 7.28% increase of the current tax rate, is greater than the no new revenue tax rate and the voter approval tax rate and less than the de minimis tax rate. The total proposed tax rate is comprised of \$0.228373 cents for maintenance and operations (M&O) and \$0.191627 cents for interest and sinking (I&S) for debt service.

**PUBLIC HEARING to receive comments regarding the tax rate.**

Mayor Sanson opened the public hearing at 7:56 p.m. and invited comments and feedback regarding the proposed tax rate. There being no comments, Mayor Sanson closed the public hearing at 7:56 p.m.

**Discussion regarding the proposed tax rate.**

Ms. Dobbs noted that pursuant to state law the proposed tax rate would be considered after consideration of the Annual Budget. No action was taken on this item.

**B. Public hearing, discussion, and action regarding the proposed 2024-25 Annual Budget.**

**PRESENTATION of the proposed Annual Budget.**

Ms. Dobbs recapped budget work sessions and assumptions for the proposed FY 2024-25 budget. Mayor Sanson acknowledged the state law provision for a record vote on the budget.

**PUBLIC HEARING to receive comments regarding the proposed Annual Budget.**

Mayor Sanson opened the public hearing at 7:58 p.m. and invited comments for or against the proposed budget. There being no comments, Mayor Sanson closed the public hearing at 7:58 p.m.

**Discussion and action regarding the request and accompanying Ordinance.**

Ms. Dobbs reviewed the budget highlights and tax rate information.

**MOTION: APPROVE THE PROPOSED 2024-25 ANNUAL BUDGET AND ACCOMPANYING ORDINANCE NO. 2024-08-07 APPROVING AND ADOPTING A BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2024, THROUGH SEPTEMBER 30, 2025; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET; AND PROVIDING AN EFFECTIVE DATE.**

MOTION MADE: COOK

SECONDED: WRIGHT  
The City Secretary called roll for the vote:  
PLACE 1- MIKE SHEPARD FOR  
PLACE 2- MIKE COOK FOR  
PLACE 3- KAY WRIGHT FOR  
PLACE 4- TED DILL FOR  
PLACE 5- LINDSEY HEDGE FOR

APPROVED: UNANIMOUS

**C. Discussion and action regarding Ordinance No. 2024-08-08 to ratify the property tax increase that is reflected in the Annual Budget for Fiscal Year 2024-25; and providing for an effective date.**

Ms. Dobbs explained that the Collin County Tax Assessor Collector's Office determined that the proposed tax rate of 0.42000 will raise more taxes for maintenance and operations than last year's tax rate and that Section 102.007 of the Texas Local Government Code requires a separate vote of the City Council to ratify the property tax increase reflected in the budget.

**MOTION: APPROVE ORDINANCE NO. 2024-08-08 TO RATIFY THE PROPERTY TAX INCREASE THAT IS REFLECTED IN THE ANNUAL BUDGET FOR FISCAL YEAR 2024-25; AND PROVIDING FOR AN EFFECTIVE DATE.**

MOTION MADE: DILL  
SECONDED: WRIGHT  
APPROVED: UNANIMOUS

**D. Discussion and action regarding the proposed tax rate Ordinance No. 2024-08-09 setting the tax rate for the 2024 Tax Year at total rate of \$0.420000 per \$100 of property valuation; levying taxes for the use and support of the Municipal Government of the City for the Fiscal Year beginning October 1, 2024 and ending September 30, 2025 on all property within the corporate limits of the City of Lavon, Texas; providing a sinking fund for the retirement of the bonded obligations of the City; apportioning each levy for the specific purpose and providing for collection of all annual taxes provided by state law; providing for due and delinquent dates together with penalties and interest; and providing a severability clause and an effective date.**

Ms. Dobbs noted that the Fiscal Year 2024-25 Annual Budget had been prepared using a tax rate of 0.420000% per hundred dollars appraised valuation, that is greater than the no new revenue tax rate and less than the voter approval tax rate. The total tax rate is comprised of \$0.228373cents for maintenance and operations (M&O) and \$0.191627 cents for interest and sinking (I&S) for debt service

**MOTION: I MOVE THAT THE PROPERTY TAX RATE BE INCREASED BY THE ADOPTION OF A TAX RATE OF 0.420000, WHICH IS EFFECTIVELY A 7.28 PERCENT INCREASE IN THE TAX RATE AND I FURTHER MOVE THAT ORDINANCE NO. 2024-08-09 BE APPROVED SETTING THE TAX RATE FOR THE 2024 TAX YEAR AT TOTAL RATE OF \$0.420000 PER \$100 OF PROPERTY VALUATION; LEVYING TAXES FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024 AND ENDING SEPTEMBER 30, 2025 ON ALL PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF LAVON, TEXAS; PROVIDING A SINKING FUND FOR THE RETIREMENT OF THE BONDED OBLIGATIONS OF THE CITY; APPORTIONING EACH LEVY FOR THE SPECIFIC PURPOSE AND PROVIDING FOR COLLECTION OF ALL ANNUAL TAXES PROVIDED BY STATE LAW; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.**

MOTION MADE: WRIGHT  
SECONDED: COOK

The City Secretary called roll for the vote:

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

APPROVED: UNANIMOUS

**E. Public hearing, discussion, and action regarding a Fee Schedule for Fiscal Year 2024-2025.**

**Presentation of the proposed Fee Schedule.**

Ms. Dobbs provided information regarding the proposed Fee Schedule.

**PUBLIC HEARING to receive comments regarding the proposed Fee Schedule.**

Mayor Sanson opened the public hearing at 8:05 p.m. and invited comments for or against the proposed fee schedule. There being no comments, Mayor Sanson closed the public hearing at 8:05 p.m.

**Discussion and action regarding Ordinance No. 2024-08-10 approving and adopting a Fee Schedule for the Fiscal Year October 1, 2024, through September 30, 2025; and providing an effective date.**

**MOTION: APPROVE ORDINANCE NO. 2024-08-10 APPROVING AND ADOPTING A FEE SCHEDULE FOR THE FISCAL YEAR OCTOBER 1, 2024, THROUGH SEPTEMBER 30, 2025; AND PROVIDING AN EFFECTIVE DATE.**

MOTION MADE: COOK  
SECONDED: HEDGE  
APPROVED: UNANIMOUS

**F. Public hearing, discussion and action regarding a Five-Year Capital Improvements Plan (CIP) for Fiscal Years 2025-2029.**

**Presentation of the CIP.**

Ms. Dobbs, and City Engineer, Mark Hill, Freeman Millican, Inc. provided information regarding the proposed CIP plan projects and funding.

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

Mayor Sanson opened the public hearing at 8:10 p.m. and invited comments for or against the proposed Capital Improvements Plan (CIP). There being no comments, Mayor Sanson closed the public hearing at 8:10 p.m.

**Discussion and action regarding Ordinance No. 2024-08-10 approving a Five-Year Capital Improvements Plan for Fiscal Years 2025 to 2029.**

**MOTION: APPROVE ORDINANCE NO. 2024-08-10 APPROVING A FIVE-YEAR CAPITAL IMPROVEMENTS PLAN FOR FISCAL YEARS 2025-2029.**

MOTION MADE: DILL  
SECONDED: WRIGHT  
APPROVED: UNANIMOUS

**9. DEPARTMENT REPORTS**

**A. Police Services** – Chief Mike Jones provided information regarding reports, programs, and referenced information provided in the meeting packet.

**B. Fire Services** – Fire Chief Danny Anthony referenced the reports in the meeting packet and answered questions.

C. **Public Works** – Director of Public Works David Carter provided general information regarding the public works operations.


D. **Administration** – Ms. Dobbs referenced reports in the meeting packet including building permits; CWD service; Collin County tax collection; sales tax; finance report; TxDOT projects report; and administration and staff report.

**10. SET FUTURE MEETINGS AND AGENDA**

September 3, 2024 – Regular Meeting at 6:30 pm

**12. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 9:00 P.M.**

**DULY PASSED and APPROVED by the City Council of Lavon, Texas, on this 3<sup>rd</sup> day of September 2024.**

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

ATTEST:

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

