

**Lavon City Council Meeting Minutes  
&  
Executive Session**



**March 3, 2009**

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**I. MEETING CALLED TO ORDER AT 7:00 P.M. BY MAYOR MARTIN**

Members Present: Mayor Norma Martin  
Council Member Place 1, Chris Kane  
Council Member Place 2, Deborah Nabors  
Council Member Place 3, Gary Meeks  
Council Member Place 5, Paul Slay, Mayor Pro-Tem

Members Absent: Council Member Place 4 , A. W. Steele

Staff Present: Marshal, Mike Jones  
City Secretary, Linda Ardis  
Permit Clerk, Laura Kennemmer  
Finance Clerk, Janie Kiser

**II. MAYOR MARTIN TO LEAD THE COUNCIL AND VISITORS IN THE PLEDGE OF ALLEGIANCE.**

Mayor Martin led the City Council and visitors in the Pledge of Allegiance.

**III. INVOCATION**

Chief of Police Jason Rector led the invocation.

**IV. ITEMS OF INTEREST/CITY COUNCIL COMMUNICATIONS**

**Members of City Council have the opportunity to notify others of community events, functions and other activities. There will also be an opportunity to briefly comment on City Council business, City operations, projects and other items coming before the City Council.**

Mayor Martin told the Council that she and other Mayors in Collin County met with Commissioners Joe Jaynes and Jerry Hoagland in Plano for a luncheon. They hope the Mayors will be able to meet on a regular basis to discuss various topics of interest to the Cities. Mayor Martin told the group she was interested in “money” and how to apply for help in the economic downturn we are all facing.

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The Mayor said she had also talked to Jodie Laubenberg's office and Congressman Hall's office about available grants to Cities. Council Member Deborah Nabors told the Council she had contacted the Governor's office. Mayor Martin indicated she had also contacted the Governor's office. Mayor Martin thanked Marshal Jones and Public Works Director Sear Frazier for the Council's new light buttons to push when they wanted to speak or vote during a meeting. She encouraged the Council to use them.

**V. CONSENT AGENDA**

**A Approval of February 3, 2009 City Council Meeting Minutes.**

**B. Approval of February 17, 2009 City Council Meeting Minutes.**

After a brief discussion, the following motion was made.

**Motion:** Council Member Kane "I make a motion to approve the February 3, 2009 City Council Meeting Minutes and the February 17, 2009 City Council Meeting Minutes."

**Second:** Council Member Nabors

**In Favor:** Council Member Kane, Council Member Nabors, Council Member Meeks and Mayor Pro-Tem Slay

**Opposed:** None

**Abstained:** None

**Motion:** Passed

**VI. PUBLIC RECOGNITION**

None

**VII. CITIZENS' COMMENTS**

**Citizens, who wish to address the Council, may discuss matters not on the agenda and who have not previously expressed to the Council or City Hall a desire to discuss such matters. The only response from the Council can be to request these items to be placed on a future agenda for action.**

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Citizen Kay Wright asked if anyone knew why the flags were out on Lake Rd.. Citizen David Hawkins of the Water Department told the Council that they are replacing a middle section of 3" water line that a 12" line flows into and then flows out again into another section of 12" line.

**VIII. PUBLIC HEARING**

None

**IX. ITEMS FOR DISCUSSION**

**A. City Council to discuss update on discussion with Verizon. (Jones)**

Marshal Jones told the Council he, Mayor Martin and Mayor Pro-Tem Slay met with Cesar Moncada, Director of External Affairs with Verizon last week. Mr. Moncada said that the cost was prohibitive for FIOS to come to Lavon because the infrastructure is not in place yet. Marshal Jones said Mr. Moncada said the best option for remote areas would be cellular wireless. Marshal Jones asked about using the old DSL switches from areas that are now receiving FIOS. Mr. Moncada told the Marshal he would have to check into that option and get back with him. However, it would only be a three mile radius from the DSL switch which could be serviced and would still leave out most of the city. Marshal Jones also asked if Mr. Moncada would be available to come and meet with the City Council and give them a briefing and a power point presentation concerning Verizon and a DSL switch for the City. Citizen Bruce Foith asked if Verizon had considered the demographics of 300 people in the 1990's or were they looking at the population today. Marshal Jones told Mr. Foith they were basing their figures on 2200 people or approximately 700 houses and \$3 million dollars for running FIOS for only 200 houses was cost prohibitive.

Citizen Simon Abela told the Council that the homeowners in Grand Heritage were told that at some point in time Verizon had wanted to put equipment somewhere in the Grand Heritage area. The cost would have been around one-half of a million dollars, but the developer refused. Marshal Jones told Mr. Abela that Mr. Moncada said that there was never an intention on the part of Verizon to bring FIOS to Lavon. Mayor Pro-Tem said he had heard that rumor also, but agreed with Marshal Jones response to Mr. Abela. Mr. Bruce Foith asked if Lavon did not have the legal right to ask for another provider to come into Lavon. He suggested contacting AT&T who perhaps had "deeper pockets". Marshal Jones said if any one had any

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contact information for AT&T, he would be happy to contact them. Citizen David Piekarski said he could provide Marshal Jones with a number for the product manager. The Mayor told the Council she felt that this was something they needed to look further into in the future.

**B. City Council to discuss Current Finances. (Martin)**

City Secretary Ardis gave her report to the Council. There was a brief discussion. Council Member Kane asked the Secretary if she would provide at the March 17, 2009 City Council Meeting a projection of the monthly expenditures for the remaining seven months of the budget. He felt this would help the Council determine the shortfall on the income side of the budget. He felt the majority of that shortfall was coming from the lack of building permits being issued.

**C. City Council to discuss Fiscal year 2009 Budget. (Martin)**

City Secretary Ardis told the Council that this was an accurate picture of the budget. She said she could only echo what Council Member Kane had told the Council about there being a shortfall in the budget due primarily to the lack of building permits. She appreciated the Mayor and Council Member Nabors for reaching out and trying to find some money for the City. Council Member Nabors said with the projected expenditures for the rest of the fiscal year, she felt the Council needed to conduct a Budget Workshop. Council Member Kane asked if the Department Heads had any further suggestions on how they could cut costs. Council Member Nabors told the Council that it was the responsibility of the Council, not the Department Heads, to come up with policy changes. Council Member Kane agreed, but said he felt if any cost cuts could be made, it would be easier to make adjustments to the budget. Marshal Jones told the Council that when they first produced the budget, it had been cut significantly by the Department Heads. He felt that any further significant cuts would require some service re-ordering. Council Member Kane said he believed that area should be a last resort. Marshal Jones said he would talk to his Department Heads, but he did not want to give the Council any false expectations. A Workshop was set for the Council Meeting on March 17, 2009. Marshal Jones told the Council he would be on vacation. Mayor Pro-Tem Slay said there was a possibility he could be out of town because that was Spring break for the schools. Mayor Martin asked the other Council Members if they would be willing to go ahead with the Workshop. Council Member Meeks said he

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felt they should go ahead and at least be better prepared when Marshal Jones and Mayor Pro-Tem Slay returned. The Workshop will be held March 17, 2009.

**X. ITEMS FOR CONSIDERATION AND ACTION**

**A. City Council to consider and act on appointing and swearing in Anthony Ramos for Place Six on the Economic Development Corporation Board. (Martin)**

Mayor Norma Martin asked if there was a motion.

**Motion:** Council Member Kane "I make a motion to appoint Anthony Ramos for Place Six on the Economic Development Corporation Board."

**Second:** Mayor Pro-Tem Slay

**In Favor:** Council Member Kane, Council Member Nabors, Council Member Meeks and Mayor Pro-Tem Slay

**Opposed:** None

**Abstained:** None

**Motion:** Passed

Mayor Martin asked Anthony Ramos to stand and be sworn in. Mayor Martin and the Council congratulated Mr. Ramos.

**B. City Council to consider and act on Boards and Commissions priorities. (Nabors)**

Council Member Nabors said she thought it was the responsibility of the Council to provide the newly formed Boards and Commissions with proper direction. The Planning & Zoning Commission met on February 12, 2009. She told the Council that the Commission initially was gathering ideas for the Comprehensive & Thoroughfare Plans. But she wanted to know what the Council thought they should be working on first. Marshal Mike Jones told the Council that this Commission was a functioning sub-body of the Council with an enabling Ordinance but they still needed guidance and focus from the Council. The TIF Board also needs to be focused and meets only once a quarter. The EDCB is an independent separate entity and is self-governing, but also needs Council communication and vision. Planning & Zoning Member Bruce Foith asked the Council if there could possibly be a joint Workshop

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between the Council and the Boards and Commissions. Council Member Nabors said it was a great idea. Council Member Kane said he felt that a Workshop should be considered and when the Boards and Commissions were ready for the meeting, they should let the City Secretary coordinate it for them. Mayor Martin said that since Marshal Jones and possibly Mayor Pro-Tem would be absent at the March 17<sup>th</sup> meeting and at the following meeting, the budget needed to be discussed, possibly a meeting in May would be better.

**Motion:** Council Member Nabors "I move that we instruct the City Secretary to coordinate an up-coming meeting between the Planning & Zoning Commission and the City Council for a date to be determined in May."

**Second:** Council Member Gary Meeks

**In Favor:** Council Member Kane, Council Member Nabors, Council Member Meeks and Mayor Pro-Tem Slay

**Opposed:** None

**Abstained:** None

Council Member Nabors asked if she could make a motion for the EDCB also.

**Motion:** Council Member Nabors "I move that we instruct the City Secretary to coordinate a joint meeting between the EDC Board of Directors and the City Council for a convenient date in May."

**Second:** Council Member Chris Kane

**In Favor:** Council Member Kane, Council Member Nabors, Council Member Meeks and Mayor Pro-Tem Slay

**Opposed:** None

**Abstained:** None

**XI. EXECUTIVE SESSION: In accordance with Texas Government Code, Section 551.001, et seq., the City Council will recess into Executive Session to discuss the following:**

**A. Pursuant to Texas Government Code § 551.074; to discuss personnel matters to include the City Manager.**

**B. Pursuant to Texas Government Code § 551.074; to discuss personnel matters to include the City Secretary's office**

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Mayor Martin recessed the City Council at 7:50 p.m. to the Conference Room.

**XII. RECONVENE INTO REGULAR SESSION:** In accordance with Texas Government Code, Section 551.001, et seq., the City Council will reconvene into Regular Session to take any action necessary regarding the following:

**A. Pursuant to Texas Government Code § 551.074; to discuss personnel matters to include the City Manager**

**B. Pursuant to Texas Government Code § 55.074; to discuss personnel matters to include the City Secretary's office**

Mayor Martin reconvened the City Council at 9:35p.m. in the Council Chambers. She announced that there was no action taken on Item "A". She asked if there was a motion to table Item XII "B".

**Motion:** Council Member Nabors "I move that we table Items XII "B" until the next City Council meeting."

**Second:** Council Member Chris Kane

**In Favor:** Council Member Kane, Council Member Nabors, Council Member Meeks and Mayor Pro-Tem Slay

**Opposed:** None

**Abstained:** None

**XIII. SETTING FUTURE MEETINGS AND AGENDAS**

**Council Members and staff may request items to be placed on a future agenda or request a special meeting be called. Each request that passes by a majority vote will be placed on the schedule by the City Secretary.**

**Motion:** Council Member Kane "I make a motion that a Consider and Act line item for a City wide hiring freeze be placed on the next City Council Agenda."

**Second:** Mayor Pro-Tem Slay

**In Favor:** Council Member Kane, Council Member Nabors, Council Member Meeks and Mayor Pro-Tem Slay

**Opposed:** None

**Abstained:** None

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**XIV. MAYOR MARTIN TO ADJOURN THE LAVON CITY  
COUNCIL**

Mayor Martin adjourned the City Council Meeting at 9:37 p.m.

Duly passed and approved on this 7 day of April, 2009.

  
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Mayor Norma Martin

Attest:

  
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Linda Ardis, City Secretary