

Lavon City Council Meeting Minutes



August 2, 2011

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

Members Present: Mayor Chuck Teske
Council Member Place 1, Chris Kane, Mayor Pro-Tem
Council Member Place 2, Deborah Nabors
Council Member Place 3, Gary Meeks
Council Member Place 4, David Hawkins
Council Member Place 5, Jenny Bodwell

Members Absent: None

Staff Present: City Secretary, Linda Ardis
Financial Clerk, Laura Kennemer

Commission and Board Members: None

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

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

III. INVOCATION

Mayor Teske 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.

Council Member Nabors told the Council the Nevada Volunteer Department was having a "Back To School Bash" at McClendon Elementary on August 20th from 5 to 8pm.

V. CONSENT AGENDA

A. May 31, 2011 City Council Meeting Minutes*

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- B. June 7, 2011 City Council Meeting Minutes*
- C. June 11, 2011 Town Hall Meeting Minutes*

Motion: City Council Member Nabors, "I move we approve the Consent Agenda."

Second: Mayor Pro-Tem Kane

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Hawkins and Council Member Bodwell

Opposed: 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.

Don Mauzy told the Council that the Police Department Alumni was having a garage sale in the Grand Heritage parking lot on Saturday, August 6th.

Joan Aquatero requested that Ordinances and Board Meeting Minutes be brought up to date on the website.

VIII. ITEMS FOR DISCUSSION

A. City Council to discuss Senate Bill 100 regarding changes to the City uniform election date. (Ardis)

The City Council Members discussed Senate Bill 100 and the ramifications this Bill has created for municipalities for the May, 2011 General Elections.

B. City Council to discuss update of City Financials. (Kennemer)

The City Council discussed the liquidity of the City for the months of October, November and December, 2011 until Property Taxes started coming into the City.

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Financial Clerk Kennemer also wanted the Council to be thinking about the City's health care policy rerate. Linda Shoup from TML-IEBP told the Council that there would be an increase from \$376.72 to \$403.10 making a policy increase of \$26.38 per employee.

C. City Council to discuss City Budget Planning Calendar. (Ardis)

City Secretary Ardis explained the calendar to the Council highlighting the need for super quorums at certain meetings.

D. City Council to discuss Ordinance 2011-08-01 amending Lavon Code of Regulations relating to the Proliferation of Litter. (Jones)

Due to medical reasons, City Manager Jones was not present at the meeting. Mayor Teske told the Council that the Ordinance being amended had not given much to enforce against violators, but this one did. Citizens Chris Wess, Pat Birchall, Joan Aquatero, and Ron Sholtz voiced their opinions to the Council. Mayor Pro-Tem Kane reminded everyone that there is a difference between something we perceive as visually unpleasing versus things that are unsafe or unsanitary. Therefore, we will need to be careful in what is enforced.

IX. ITEMS FOR CONSIDERATION AND ACTION

A. City Council to Consider and Act on assigning roles the HSRCP and updating membership. (Mayor)

Mayor Pro-Tem Kane resigned from the Committee. City Council Member Nabors said she was not a member, but only sponsored the forming of the Committee.

Motion: Mayor Pro Tem Kane, "I move we appoint Council Member Jenny Bodwell to serve on the Committee."

Second: Council Member Nabors

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Hawkins and Council Member Bodwell

Opposed: None

Motion: Passed

Mayor Pro-Tem Kane and City Council Member Hawkins further discussed the Committee and its responsibilities with the Council.

Motion: Mayor Pro Tem Kane, "I move we appoint City Manager Jones to drive the execution of the project."

Second: Council Member Nabors

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In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Hawkins and Council Member Bodwell

Opposed: None

Motion: Passed

B. City Council to Consider and Act on re-appointing Ernest Cody for Seat One and Trey Smith for Seat Three. Both men are on the Planning and Zoning Commission, and their terms expired June, 2011. (Smith)

Council Member Nabors represented the P & Z Commission as Commissioner Smith was absent. She said both men were willing to serve, and she recommended the Council approve the item.

Motion: Mayor Pro Tem Kane, "I move we approve Item "B"."

Second: Council Member Meeks

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Hawkins and Council Member Bodwell

Opposed: None

Motion: Passed

C. City Council to Consider and Act on filling vacant Planning and Zoning Commission Seat Four whose term expired June, 2011. (Smith)

City Council Member Nabors representing the P & Z told the Council that the Commissioners had identified the candidate, but had not finished their interview with him.

Motion: City Council Member Nabors, "I move we table this item until the process is completed."

Second: Mayor Pro-Tem Kane

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Hawkins and Council Member Bodwell

Opposed: None

Motion: Passed

D. City Council to Consider and Act on reappointing Chris Kane for Place Two and Paul Lemon for Place Six. Both men are on the Economic Development Corporation Board and their terms expired July, 2011. (Piekarski)

Mayor Pro-Tem Kane spoke for President Piekarski who was absent. He told the Council that he and Paul Lemon were willing to serve.

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Motion: City Council Member Nabors, "I move we approve the reappointing of Chris Kane and Paul Lemon to their stated seats."

Second: Council Member Bodwell

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Hawkins and Council Member Bodwell

Opposed: None

Motion: Passed

E. City Council to Consider and Act on filling vacant Economic Development Corporation Board Place Four whose term expired July, 2011. (Piekarski)

Motion: Mayor Pro-Tem Kane, "I move we table this item until such time as President Piekarski can identify this person."

Second: Council Member Nabors

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Hawkins and Council Member Bodwell

Opposed: None

Abstained: None

Motion: Passed

F. City Council to consider and act on a request from the Planning and Zoning Commission on an Application for a Sign Variance at 616 Main Street. (Smith)

Council Member Nabors represented the P & Z Commission. She told the Council that the business did pre-date the Zoning Ordinance, but the signage did not meet the City's Sign Ordinance.

Motion: City Council Member Nabors, "I move we table this item until a future agenda."

Second: Council Member Bodwell

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Hawkins and Council Member Bodwell

Opposed: None

Motion: Passed

G. City Council to consider and act on a request from the Planning and Zoning Commission on an Application for an Accessory Building Variance at 840 Lake Ridge Drive. (Smith)

Council Member Nabors represented the P & Z Commission. She told the Council that there had been a communication mix up between the builder and the City Inspector. The

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building had been placed too close to the fence. Citizen Chris Wess told the Council that according to Ordinance 2005-02-04, Section "4-F" which re-established the P & Z Commission, there was no City Ordinance in place making the P & Z the party who listened to variances. Council Member Hawkins also saw a conflict of interest if the P & Z Commission were the ones who heard their own recommendations.

Motion: City Council Member Nabors, "I move we table this item until we can clarify the points that have been brought up tonight."

Second: Mayor Pro-Tem Kane

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Hawkins and Council Member Bodwell

Opposed: None

Motion: Passed

H. City Council to Consider and Act on reassigning the Utility Clerk position from the Executive Branch to the Legislative Branch of the City of Lavon. (Mayor)

Motion: Mayor Pro-Tem Kane "I move we approve this item."

Second: City Council Member Nabors

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Hawkins and Council Member Bodwell

Opposed: None

Motion: Passed

I. City Council to Consider and Act on Collin County Continuation of Animal Control & Shelter Services Agreement. (Ardis)

City Secretary Ardis told the Council that this is an annual agreement that the Council has approved in the past. There is no change in the cost of the agreement.

Motion: Mayor Pro-Tem Kane "I move we approve the Collin County Continuation of Animal Control & Services Agreement."

Second: City Council Member Nabors

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Hawkins and Council Member Bodwell

Opposed: None

Motion: Passed

J. City Council to Consider and Act on all matters incident and related to the issuance and sale of "City of Lavon, Texas, Tax Notes, Series 2011A, including the adoption of an ordinance authorizing the issuance of such tax notes. (Jones)

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Mayor Teske spoke for City Manager Jones. He introduced Jason Hughes, Senior Vice-President of First Southwest. Mr. Hughes passed out material to the Council and explained that he had been contacted by City Manager Jones to put together a package that would fund the City's shortfall through FY 2011. The total amount disbursed by Regions Bank, the Bond Paying Agent, would be \$108,000.00. A cost of issuance of \$7,500.00 would be paid to First Southwest for their fees, and the balance of \$100,500.00 bond proceeds would be wired and deposited into the City of Lavon General Fund at Independent Bank in Lavon, Texas. This would be Phase One.

Phase Two would take place if the City needed to borrow additional money to get through the months of October, November and December of 2011 until the property taxes began coming into the City.

Citizens Don Mauzy, Melissa Kale and Joan Aquatero asked questions and gave their recommendations to the Council. Mayor Teske also told the Council that the developer was going to reset the TIF Agreement and give the City \$80,000.00 plus let the City have the \$45,000.00 that was owed this year. He told the Council that poor planning in the past has consequences that have to be paid. However, the City must go forward and this Council has to make sure that we have sufficient money in reserve so this does not continue to happen in the future.

Motion: City Council Member Hawkins, "I move we approve the issuance and sale of "City of Lavon, Texas, Tax Notes, Series 2011A."

Second: City Council Member Meeks

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Hawkins and Council Member Bodwell

Opposed: None

Motion: Passed

X. CITY COUNCIL TO SET 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: City Council Member Hawkins, "I move we have a special meeting to review the upcoming budget."

Second: City Council Member Nabors

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Hawkins and Council Member Bodwell

Opposed: None

Motion: Passed (Council will be notified of date.)

Motion: Mayor Pro-Tem Kane, "I move we schedule a second budget planning session with a workshop for the next regular scheduled meeting."

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Second: City Council Member Nabors

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Hawkins and Council Member Bodwell

Opposed: None

Motion: Passed

Motion: Mayor Pro-Tem Kane, "I move we schedule a Consider and Act item for an update of the school house project at every meeting."

Second: City Council Member Nabors

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Hawkins and Council Member Bodwell

Opposed: None

Motion: Passed

Motion: Mayor Pro-Tem Kane, "I move we move Discussion Item "A" on SB 100 to Consider and Act with options and a proposed ordinance."

Second: City Council Member Nabors

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Hawkins and Council Member Bodwell

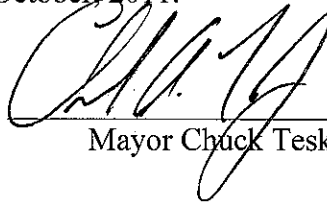
Opposed: None

Motion: Passed

XI. MAYOR TESKE TO ADJOURN CITY COUNCIL MEETING


Mayor Teske adjourned the City Council Meeting at 9:45 p.m.

Duly passed and approved on this 19th day of October, 2011.



Mayor Chuck Teske

Attest:



Linda Ardis, City Secretary