



Lavon City Council Special Meeting & Public Hearing
Held at NeSmith Elementary School Cafeteria
8010 Presidents Blvd. Lavon, TX
Minutes
November 13, 2012

I. MEETING CALLED TO ORDER AT 7:03 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 Chris Wess
City Treasurer Laura Kennemer
Chief of Operations Mike Jones

Legal Representative: Tim Green

Commission and Board Members: EDC President Kay Wright, P & Z Commissioner David Barnhart, EDC Executive Director Pam Mundo and EDC Consultant Joe Mundo

Visitors: Council-Elect Melissa Kale & 11 Visitors

There was a quorum present.

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

III. INVOCATION

Mayor Pro Tem Kane gave the invocation.

IV. ITEMS OF INTEREST/CITY COUNCIL COMMUNICATIONS

Mayor Pro Tem Kane introduced EDC Executive Director Pam Mundo. She made a presentation on the tools that the Economic Development Commission is using to promote the City to developers. She also discussed the trade show that the EDC had attended.

V. CONSENT AGENDA

- A. Minutes of the October 2, 2012 City Council Meeting. (Wess)
- B. Minutes of the October 16, 2012 City Council Meeting.(Wess)



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Motion: Council Member Nabors made a motion to approve the consent agenda.

Second: Council Member Bodwell

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

Opposed: None

Motion: Carries

VI. CITIZENS' COMMENTS

City Secretary relayed that the City had its 40th Anniversary as an incorporated city on the prior Sunday. She stated that 48 voters turned out to unanimously approve becoming a city. Mr. Ray Barlow, of Jackson St., spoke of concerns on his street cracking. COO Jones explained that the street was 5 years old and the warrantee only lasted 2 years. Mr. Don Archer stated that he supported Mr. Barlow's position as property values are affected by the street conditions.

VII. PUBLIC HEARING

A Public Hearing to receive Public Comment on the following issue: (Teske)

Comments pertaining to an amended service and assessment plan for the Heritage Public Improvement District No. 1 (Residential). The purpose of the amended service and assessment plan is to correct omissions or mistakes in the assessments relating to the total cost of improvements.

A. Mayor Teske opened the Public Hearing at 7:18 p.m.

B. Mayor Teske opened the floor to Public Comment

Mr. Tim Green, of CoatsRose, addressed the audience and explained the conception of the PID and how the assessment was figured. He further explained how the Attorney General had questions about some of the original reimbursements which led to the amendments. He stated that these amendments were only trying to complete transactions that started 2 - 3 years ago and that it did not change the amount each person was assessed. Mr. Jeff Beckman stated that he objected to the extra tax and felt that the developer should have paid for the infrastructure. It was asked that the Assessment Plan be put on the website.

C. Mayor Teske closed the floor to Public Comment

D. Mayor Teske closed the Public Hearing at 7:54 p.m.

VIII. STAFF REPORTS

A. City Treasurer to present the October 31, 2012 Financial Report.

Mayor Teske noted that this report was showing the first month of the new fiscal year and showed a \$30,000 surplus. Treasurer Kennemer stated that this report did not reflect official opening balances and could not until last year's audit was completed.



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- B. City Secretary to present the uncanvassed results of the November 6th election. City Secretary Wess stated that the City should congratulate itself as it had 71.8% of its registered voters turn out for the November 6th election. She relayed the uncanvassed results as follows:
Place One: Chris Kane
Place Three: Melissa Kale
Place Five: Jenny Bodwell
Mayor Teske congratulated all of the candidates for running clean campaigns.

IX. ITEMS FOR DISCUSSION

City Council to discuss the use of City Hall/Community Center. (Hawkins)
This item was skipped until after the Consideration and Action Items and then brought back for discussion. Council Member Hawkins gave a brief history of the building and its renovation. He related that it would take about \$56,000 to finish the renovation and renovation wouldn't start until late December or early January.

X. CONSIDERATION AND ACTION

- A. Conway Company CPAs PC to present the 2010-2011 audit and the City Council to Consider and Act on Conway Company CPA's letter of intent to perform the audit for the City's finances for 2011-2012. (Kennemer)
Mike Conway presented the City's audit for the second year. He went over some of the details of the audit. He stated that the \$30,000 surplus that Mayor Teske talked about was encouraging and that the staff is doing a better job with their accounting practices.

Motion: Mayor Pro Tem Kane made a motion to approve item A of the Consideration and Action Agenda.

Second: Council Member Nabors

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

Opposed: None

Motion: Carries

- B. City Council to Consider and Act on approving the Reimbursement Request for Sanitary Sewer Collection System. (Kennemer)

Motion: Council Member Nabors made a motion to approve the Reimbursement Request for Sanitary Sewer Collection System.

Second: Council Member Bodwell

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

Opposed: None



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Motion: Carries

- C. City Council to Consider and Act on Interlocal Agreement between Collin County and the City of Lavon concerning improvements for City Hall Park and Collin County's participation in this project to fund up to \$67,975.00. (Bodwell)

It was noted that no monies could be spent for this project until this Interlocal Agreement was approved by the Council and the Commissioners' Court.

Motion: Council Member Nabors made a motion that we approve the Interlocal Agreement between Collin County and the City of Lavon concerning improvements for City Hall Park and Collin County's participation in this project to fund up to \$67,975.00.

Second: Council Member Bodwell

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

Opposed: None

Motion: Carries

- D. City Council to Consider and Act on approving Justin Wheeler as the First Alternate to the Parks and Recreation Board. (Bodwell)

Council Member Bodwell stated that she has two alternate positions on the Board and that Justin Wheeler was recommended by Melissa Nakamura some time ago. It was also noted that the alternate position was a non-voting position and could not step in as an actual Board Member until appointed as such by the City Council. This position was said to be an additional and valuable source of opinion and information.

Motion: Mayor Pro Tem Kane made a motion to approve item D on the Consideration and Action Agenda

Second: Council Member Nabors

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

Opposed: None

Motion: Carries

- E. Council to Consider and Act on approving the October 2012 PID expenses. (Kennemer)

The City Treasurer was asked if there was anything different or out of the ordinary with these expenses. She replied that there wasn't.

Motion: Mayor Pro Tem Kane made a motion to approve item E on the Consideration and Action Agenda

Second: Council Member Nabors

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



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Opposed: None

Motion: Carries

- F. City Council to Consider and Act on approving a contract with Gay, McCall, Isaacks, Gordon & Roberts for the purpose of collecting delinquent ad valorem taxes. (Teske)

Council Member Nabors asked if there was a change in the contract from the prior contract. No one knew the answer to her question

Motion: Mayor Pro Tem Kane made a motion to table this item.

Second: Council Member Bodwell

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

Opposed: None

Motion: Carries

- G. City Council to Consider and Act on approving extending the agreement for Animal Control and Shelter Services between Collin County and the City of Lavon (Teske)

Council Member Bodwell asked if all other options were pursued. Mayor Teske replied that there were not a lot of options. He had talked to the City of Wylie and they did not seem interested. COO Jones stated that the City really needed to look at other options now for next year. Mayor Pro Tem Kane asked if the agreement was the same as last year. The reply was that it was.

Motion: Mayor Pro Tem Kane made a motion to approve item G on the Consider and Act Agenda.

Second: Council Member Nabors

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

Opposed: None

Motion: Carries

Note: As a part of her second, Council Member Nabors would like for the City to start looking into its options for animal control for next year.

- H. City Council to Consider and Act on approving rules for the Community Center. (Teske)

Mayor Teske explained that the City had been operating the Community Center for about 4 months without any rules and that rules may be necessary. Council-Elect Kale felt that there should be a \$200 deposit in case damage was done to the room. This was discussed, and thought that in the future it may be necessary, but not at this time. It was suggested that when more rooms were opened for the public, fees might become necessary to cover staff costs.

Motion: Council Member Nabors made a motion to approve the rules.



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Second: Council Member Bodwell

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Opposed: None

Motion: Carries

XIII. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS

Mayor Pro Tem Kane asked for the MDD to be on the next meeting.

XIV. PRESIDING OFFICER TO ADJOURN THE CITY COUNCIL MEETING

Mayor Teske adjourned the meeting at 8:46 p.m.

Duly passed and approved on this 15 day of January, 2013

Mayor Chuck Teske

Attest:

Chris Wess, City Secretary