



**Lavon City Council Regular Meeting
Minutes
February 19, 2013**

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, Melissa Kale
Council Member Place 4, David Hawkins

Members Absent: Council Member Place 5, Jenny Bodwell

Staff Present: City Secretary Chris Wess
City Treasurer Laura Kennemer
Chief of Operations Mike Jones

Legal Representative: None

Commission and
Board Members: none

Visitors: 2

There was a quorum present.

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

III. INVOCATION

Chief of Operations Mike Jones gave the invocation.

IV. ITEMS OF INTEREST/CITY COUNCIL COMMUNICATIONS

Mayor Pro Tem Kane stated that the Community ISD Foundation has their Denim & Diamond Gala on March 2nd which is one of their big fund raisers for the year. He went on to state that tickets were \$20.00 for dinner and a live auction at the school. Council Member Kale added that the Fire Department is having a car show as its fund raiser on May 4th next to the Sonic.

V. CONSENT AGENDA

- A. Approve the Minutes of the January 28, 2013 Special Meeting and Executive Session. (Wess)*
- B. Approve the Minutes of the February 5, 2013 Regular Meeting (Wess)*
- C. City Council to Consider and Act on accepting the Lavon Police Department 2012 Racial Profiling Report. (Jones)
- D. City Council to Consider and Act on selecting Directors for the Lavon Water Supply Corporation's 2013 Election. (Teske)



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Motion: Council Member Nabors made a motion to approve items A through C the consent agenda.

Second: Council Member Hawkins

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

Opposed: None

Motion: Carries

Motion: Mayor Pro Tem Kane made a motion to approve all 3 candidates on Item D

Second: Council Member Nabors

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

Opposed: None

Motion: Carries

VI. CITIZENS' COMMENTS

It was noted that there would be a meeting the next evening from 6:30 to 8:00 p.m. at the new Wylie Municipal Complex to discuss the County Mobility Plan and possibly the Toll Road.

VII. STAFF REPORT

City Treasurer Laura Kennemer to present the January 31, 2013 Financial Report. Mayor Pro Kane commented that revenues appeared to be continuing to go south. City Treasurer Kennemer agreed and stated that this would be reflected in the amended budget. She stated that there had been building permits issued that month.

VIII. CONSIDERATION AND ACTION

(Agenda taken out of order by Mayor Teske's request)

C. City Council to Consider and Act on approving the Interlocal Cooperation Agreement with Collin County concerning road improvement. (Teske)

There was discussion about the best solution to repair Forder such as FDR or Chip Seal or Oiling.

Motion: Council Member Nabors made a motion to approve item C on the Consideration and Action agenda.

Second: Council Member Hawkins

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

Opposed: None

Motion Carries.

A. City Council to Consider and Act on authorizing the Project Manager to pay out Park and Rec. funds of up to \$500.00 per item for the City of Lavon Park Project. (Bodwell)



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Council Member Hawkins explained that the purpose of this item was to solve any small situations that may come up from time to time.

Motion: Council Member Nabors made a motion to approve item A on the Consideration and Action agenda.

Second: Council Member Kale

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

Opposed: None

Motion Carries.

- B. City Council to Consider and Act on approving the Modification of Contractual Agreement for Ambulance Service – Southeast Collin County EMS Coalition (Teske)

It was explained that this was only a one month extension to the original contract.

Motion: Mayor Pro Tem Kane made a motion to approve Item B on the Consideration and Action Agenda.

Second: Council Member Nabors

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

Opposed: None

Motion Carries.

- D. City Council to Consider and Act on approving an Order of Special Election for the purpose of voting for or against the adoption of a local sales and use tax in the City of Lavon at the rate of .025% to provide revenue for the maintenance and repair of municipal streets. (Wess)

City Secretary Wess explained that there was a typo error on the agenda but not on the actual order. She further explained, with joining the Community ISD, the cost of the election could be from \$1500.00 to \$4000.00. Mayor Teske stated that the original sales tax the City imposed for this purpose expired in 2007.

Motion: Council Member Nabors made a motion to approve Item D on the Consider and Act Agenda with a modification that the rate be changed to 0.25 %.

Second: Council Member Kale

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

Opposed: None

Motion Carries.

- E. City Council to Consider and Act on approving an Order of Special Election for the purpose of voting for or against the authorization of creating a City of Lavon Municipal Development District and the imposition of a sales and use tax at



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the rate of .025% for the purpose of financing development projects beneficial to the district. (Kane)

Mayor Pro Tem Kane explained that any entity could claim the remaining sales tax and use the money elsewhere. He felt that this tax could reduce the burden on the property tax.

Motion: Council Member Nabors made a motion to approve Item E of the Consider and Act Agenda with the same modification to change the tax rate to 0.25%.

Second: Council Member Kale

A citizen asked what these funds could be used for and the Council answered it could be used for parks and specific projects. It was further explained that the funds would be dedicated for projects and could not be used for salaries or utility bills or other such general fund items.

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

Opposed: none

Motion Carries

- F. City Council to Consider and Act on Ordinance No. 2013-02-01 an ordinance for the City of Lavon approving and adopting an amended budget for the City for the fiscal year October 1, 2012 through September 30, 2013; providing that expenditures for said fiscal year shall be made in accordance with said budget; and declaring an effective date.

Council Member Nabors asked for clarification on the Police Department Expenses and if more office equipment was needed. City Treasurer Kennemer explained that the Chief of Operation's budget had merely been combined with the Police Department. Chief of Operation Jones stated that he needed no additional equipment but possibly might need software. City Secretary asked about vehicle fuel and maintenance from the COO budget. COO Jones stated that he turned his vehicle in and was using a police department vehicle.

Motion: Council Member Kale made a motion to approve Ordinance 2013-02-01

Second: Council Member Hawkins

City Secretary Wess stated that she had a reason for asking about the vehicle maintenance and fuel in the COO Budget. She explained that she would like to add money to the Secretary/Treasurer furniture budget for desks that she had found on sale to spruce up the office. She added that their office is the main place for people to visit City Hall.

Council Member Kale withdrew her motion.

Motion: Mayor Pro Tem Kane made a motion to reallocate \$600 from Police Dept. Vehicle Fuel and \$600 from Police Dept. Maintenance to City Secretary/Treasurer Office Furniture.

Second: Council Member Nabors

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



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Opposed: None
Motion Carries.

Motion: Council Member Hawkins made a motion to accept budget Ordinance No. 2013-02-01.

Second: Council Member Nabors

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

Opposed: None

Motion Carries.

(City Treasurer Kennemer left the meeting to continue her vacation.)

- G. City Council to Consider and Act on the replacement of the '86 Spartan pumper fire truck for the Lavon Fire Station and authorizing Mayor Teske to enter into a sales contract and expend up to \$2000.00 to serve as earnest money to be drawn from the fire service equipment fund. (Teske)
- Jon Scott explained his presentation and safety concerns with current equipment. He went on to discuss the Spartan pumper truck and the benefits of having it as opposed to the older truck. The Nevada Volunteer Fire Dept. will donate up to \$6000.00 for the new truck from what funds they receive from the sale of the old pumper truck. Mayor Pro Tem Kane asked about the different finance options. Nick Bulaich from First Southwest discussed the City's options for financing. He talked about Certificates of Obligations and the different interest rates for 10 years (about 2.20%) or 15 years (about 2.90%) on the loan. He stated these certificates would be paid by property taxes. Mayor Teske discussed a lease program to pay for the truck in which the truck would be the collateral for the lease. Council Member Hawkins stated that it will be good for Lavon to start developing its own Fire Department. He felt that with the growth this development made good sense. Council Member Kale felt that the City owes it to the firefighters to have safe equipment. Mayor Teske felt that with the development's growth, the City needed it for Grand Heritage.

Motion: Council Member Kale made a motion to approve the replacement of the '86 Spartan pumper fire truck for the Lavon Fire Station and authorizing Mayor Teske to enter into a sales contract and expend up to \$2000.00 to serve as earnest money to be drawn from the fire service equipment fund.

Second: Council Member Hawkins

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

Opposed: None

Motion Carries.

- H. City Council to Consider and Act on Resolution No. 2013-02-01 a resolution approving and authorizing publication of notice of intention to issue certificates of obligation. (Teske)



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Mayor Pro Tem Kane did not want to do something that could possibly involve a potential mandatory tax hike. It was discussed that while the tax rate would not necessarily have to be raised, the current operating budget would have to be lowered to accommodate the increase in the INS rate. Mayor Pro Tem Kane expressed his desire to not obligate future Councils for this mandatory debt. Mayor Teske stated that there would be a \$4600 savings over 10 years if the City did the lease option. No action was taken.

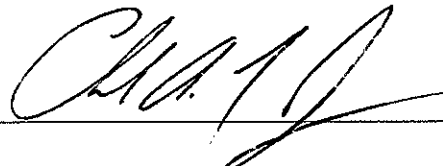
XIII. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS

Council Member Hawkins asked for an update on the progress of City Hall. Mayor Pro Tem Kane asked for a Police Department Update. Council Member Nabors requested monthly staff reports. It was discussed placing the staff reports on the second meeting of the month.

XIV. PRESIDING OFFICER TO ADJOURN THE CITY COUNCIL MEETING

Mayor Teske adjourned the meeting at 8:27 p.m.

Duly passed and approved on this 5 day of March, 2013.



Mayor Chuck Teske

Attest:



Chris Wess, City Secretary