



**Lavon City Council Special Meeting
Minutes
October 29, 2013**

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, Melissa Stroop
Council Member Place 4, David Hawkins

Members Absent: Council Member Place 5, Jenny Bodwell

Staff Present: City Secretary Chris Wess

Legal Representative: Brenda McDonald, Angela Stepherson

Commission and Board Members: Executive Director EDC Pam Mundo, EDC Board Member David Piekarski

Visitors: 1
There was a Super Quorum present.

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

III. INVOCATION

Mayor Teske gave the invocation.

IV. CITIZENS COMMENTS

None

V. ITEMS OF INTEREST/CITY COUNCIL COMMUNICATIONS

None

VI. CONSENT AGENDA

- A. July 16, 2013 Meeting Minutes (Wess)*
- B. August 6, 2013 Meeting Minutes (Wess)*
- C. August 12, 2013 Meeting Minutes (Wess)*
- D. August 20, 2013 Meeting Minutes (Wess)*

Motion: Council Member Nabors moved to approve the consent agenda.

Second: Council Member Hawkins

In Favor: Mayor Pro-Tem Kane, Council Members Nabors, Stroop and Hawkins.

Opposed: None

Motion: Carries



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VII. CONSIDERATION AND ACTION

- A. City Council to Consider and Act on approving an annual reimbursement request from World Land Developers for Sanitary Sewer Collection System for \$136,803.22. (Teske)

Mayor Teske tabled this item until an exact amount could be given to the City.

- B. City Council to Consider and Act on approving an updated Schedule of Advances and Payments and remaining amount owed on Temporary Reimbursement Note, dated January 9, 2007, payable to World Land Developers, LP; authorizing the Mayor to acknowledge current amount owed and reduction of \$8,085,489.19 upon closing of sale of bonds. (Teske)

Mayor Teske explained the difference in temporary note figures.

Motion: Council Member Nabors moved to approve item B.

Second: Council Member Hawkins

In Favor: Mayor Pro-Tem Kane, Council Members Nabors, Stroop and Hawkins.

Opposed: None

Motion: Carries

- C. City Council to Consider and Act on approving authorizing the Mayor to execute letters to Trustee under Trust Indenture for \$8,065,000.00 City of Lavon, Texas Special Assessment Revenue Bonds, Series 2013 (Heritage Public Improvement District No. 1 (Residential)) ("Bonds") regarding use of proceeds from bonds, including payment to World Land Developers, LP and payment of costs of issuance. (Teske)

Angela Stepherson explained that they included \$3600 to be paid to Andy Messer's office, which comes out of the World Land allotment.

Motion: Council Member Nabors moved to approve item C.

Second: Council Member Hawkins

In Favor: Mayor Pro-Tem Kane, Council Members Nabors, Stroop and Hawkins.

Opposed: None

Motion: Carries

- D. City Council to Consider and Act on authorizing correspondence to Utility Tax Service, LLC advising that Heritage Public Improvement District No. 1 (Residential) assessments collected should be forwarded to Trustee under Trust Indenture for sale of Bonds. (Teske)

Mayor Teske relayed this basically is stating where the assessments collected should be sent.

Motion: Council Member Nabors moved to approve item D.



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Second: Council Member Hawkins

In Favor: Mayor Pro-Tem Kane, Council Members Nabors, Stroop and Hawkins.

Opposed: None

Motion: Carries

- E. City Council to Consider and Act on approving filing in Real Property Records of Collin County, Texas a Notice to Purchasers and Sellers regarding the existence of Heritage Public Improvement District No. 1 (Residential and the assessments). (Teske)

Motion: Council Member Nabors made a motion to approve item E.

Second: Council Member Hawkins

In Favor: Mayor Pro-Tem Kane, Council Members Nabors, Stroop and Hawkins.

Opposed: None

Motion: Carries

- F. City Council to Consider and Act on approving Resolution No. 2013-10-01 granting a petition off M-Tex Properties, L.P., the owner of an area of approximately 4.617 acres of land, being a part of Lot 1, Lavon Business Park II, an addition to the City of Lavon, Collin County, Texas, requesting that the area of land be annexed into the City of Lavon. (Kane)

Motion: Council Member Hawkins moved to accept it.

Second: Council Member Nabors

In Favor: Mayor Pro-Tem Kane, Council Members Nabors, Stroop and Hawkins.

Opposed: None

Motion: Carries

- G. City Council to Consider and Act on approving Resolution No. 2013-10-02 granting a petition of Lavon Business Park, LLC, the owner of an area of approximately 4.104 acres of land, situate din the W.A.S. Bohannon Survey, Abstract No. 121, Collin County, Texas, requesting that the area of land be annexed into the City of Lavon. (Kane)

Mayor Pro-Tem Kane had some question about the typing errors. City Secretary Wess stated that a corrected version had been sent to her that day.

Motion: Mayor Pro-Tem Kane moved to approve this item.

Second: Council Member Nabors

In Favor: Mayor Pro-Tem Kane, Council Members Nabors, Stroop and Hawkins.

Opposed: None



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Motion: Carries

- H. City Council to Consider and Act on approving Resolution No. 2013-10-03 setting a date, time and place for public hearings on the proposed annexation of certain property by the City of Lavon, Texas: Collin CAD Property ID 2666581, commonly known as 925 Lavon Circle, being a part of Lot 1, Lavon Business Park II, an addition to the City of Lavon, Collin County, Texas, and being all of that approximate 7.617 acre tract of land described in a plat as recorded in Volume 2010, Page 318 of Plat Records of Collin County, Texas: authorizing and directing the City Secretary to have published noticed of such public hearings; and directing the preparation of service plan. (Kane)

Brenda McDonald noted that once the Resolution is accepted the dates cannot be changed.

Motion: Mayor Pro-Tem Kane moved to approve this item.

Second: Council Member Nabors

In Favor: Mayor Pro-Tem Kane, Council Members Nabors, Stroop and Hawkins.

Opposed: None

Motion: Carries

- I. City Council to Consider and Act on Resolution No. 2013-10-04 setting a date, time, and place for public hearings on the proposed annexation of certain property by the City of Lavon, Texas: Collin CAD Property ID 2666582, being all that certain lot, tract or parcel of land located in the W.A.S. Bohannon Survey, Abstract No. 121, Collin County, Texas, and being an approximate 4.104 acre part of a 24.73 acre tract of land described in a Deed from P.D. Brown to Lavon Business Park, a Texas Joint Venture, dated November 26, 2003 and being recorded in Volume 341, Page 638, Official Public Records of Collin County, Texas; authorizing and direct the City Secretary to have published notice of such public hearings; and directing the preparation of a service plan. (Kane)

City Secretary Wess asked if the document is supposed to read D.P. Brown or P.D. Brown. Brenda McDonald stated it can be approved with that correction.

Motion: Mayor Pro-Tem Kane made a motion to approve item I approving Resolution No. 2013-10-04 and allowing the City Secretary to adjust whether it is P.D. or D.P. Brown.

Second: Council Member Nabors

In Favor: Mayor Pro-Tem Kane, Council Members Nabors, Stroop and Hawkins.

Opposed: None

Motion: Carries



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J. City Council to Consider and Act on approving a three year contract with Lee Roberts Inspection Services for building inspections and plan and reviews. (Teske)
Mayor Teske explained Lee Roberts' contract.

Motion: Council Member Nabors moved to approve item J.

Second: Mayor Pro-Tem Kane

In Favor: Mayor Pro-Tem Kane, Council Members Nabors, Stroop and Hawkins.

Opposed: None

Motion: Carries

VIII. PUBLIC HEARING

1st Public Reading of Resolution No. 2013-10-05 – authorizing a development and incentive agreement for the following property:

- Approximately 4.104 acres of land generally located on the South side of Lavon Circle of FM 205.
Mayor Teske read the Resolution and agreement.

IX. DISCUSSION

A. City Council to discuss upcoming street repairs to be done by Collin County. (Hawkins)

Council Member Hawkins stated he wanted everyone to be aware that the chip and seal, and laying of the asphalt in January, February, and March is not a good idea. He confirmed the temperatures are not ideal because it would be too cold. He explained that the asphalt cannot go on a cold base. He suggested they wait until April or May. Mayor Pro-Tem Kane suggested he should put his ideas in a note and send it to the Public Works Director Kevin Dudley and Mayor Teske.

X. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS

None

XI. PRESIDING OFFICER TO ADJOURN THE CITY COUNCIL MEETING

Mayor Teske adjourned the meeting at 7:35 p.m.

Duly passed and approved on this 3RD day of December, 2013.

Mayor Chuck Teske

Attest:

Chris Wess, City Secretary