



**Lavon City Council Special Meeting
Minutes
November 5, 2013**

I. MEETING CALLED TO ORDER AT 7:04 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
Council Member Place 5, Jenny Bodwell arrived at 7:07

Members Absent: None

Staff Present: City Secretary Chris Wess
Public Works Director Kevin Dudley
Police Chief Mike Jones
City Services Coordinator Jennifer Wolfe
Public Works Operator Cody Kennemer
Clerk LeAnn McClendon

Legal Representative: Andy Messer

Commission and Board Members: EDC President Kay Wright, EDC Board Member David Piekarski, Planning & Zoning Commissioner Bill Bonney, Planning & Zoning Vice Chairman David Barnhart

Visitors: 3

There was a super 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. CITIZENS COMMENTS

None

V. ITEMS OF INTEREST/CITY COUNCIL COMMUNICATIONS

Item discussed later in meeting.

Council Member Bodwell arrived at 7:07 p.m.

VI. CONSENT AGENDA

A. August 26, 2013 Meeting Minutes (Wess)*



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- B.** September 3, 2013 Meeting Minutes (Wess)*
- C.** September 10, 2013 Meeting Minutes (Wess)*
- D.** September 17, 2013 Meeting Minutes (Wess)*

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

Second: Council Member Nabors

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

Opposed: None

Motion: Carries

IX. EXECUTIVE SESSION

In accordance with Texas Government Code Section 555.001, et seq., the City Council will recess into closed session:

In accordance with Texas Government Code, Section 551.074, personnel matters – to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee: City Secretary

In accordance with Texas Government Code, Section 551.071: Consultation with City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act: to receive legal advice regarding personnel matters, and duties of Mayor and Council Members.

Mayor Pro-Tem Kane read the letter given to the Council by Andy Messer stating that the Executive Session for this Special City Council Meeting is legal.

The Council convened into Executive Session with Mayor Pro-Tem Kane presiding at 7:10 p.m.

X. CITY COUNCIL TO RECONVENE INTO REGULAR SESSION

Mayor Pro-Tem Kane reconvened into Regular Session at 10:04 p.m.

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:

In accordance with Texas Government Code, Section 551.074, personnel matters – to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee: City Secretary

In accordance with Texas Government Code, Section 551.071: Consultation with City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas



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clearly conflicts with the Texas Open Meetings Act: to receive legal advice regarding personnel matters, and duties of Mayor and Council Members.
No action taken.

VII. CONSIDERATION AND ACTION

- A.** City Council to Consider and Act on approving Ordinance No. 2013-11-01 an ordinance adopting the City's Comprehensive Plan. (Nabors) Council Member Nabors stated that Planning & Zoning Commission is asking for the final adoption of the Comprehensive Plan. Council Member Stroop relayed that there are typing errors in the document. She listed the errors; on page 13 the second paragraph the population is not 800 billion it is 2,250, also the first paragraph under Historic Connections, the Police Department is no longer in this building. She relayed on page 30 on the second line change "don't" to do not; on page 36 in the first paragraph the City no longer has a lieutenant in the Police Department, and on page 40 the Recommendation for Action Planning – EDRPI – eliminate the phrase "in the exercise of the powers of" and make the sentence complete.

Motion: Mayor Pro-Tem Kane moved that the Council approve adjustments to the proposed Comprehensive Plan.

Second: Council Member Nabors

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

Opposed: None

Motion: Carries

Motion: Mayor Pro-Tem Kane moved to approve Ordinance No. 2013-11-01 an ordinance adopting the City's Comprehensive Plan as adjusted.

Second: Council Member Nabors

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

Opposed: None

Motion: Carries

- B.** City Council to Consider and Act on approving World Land Developer's request for Sanitary Sewer Collection System Reimbursement for \$129,837.85. (Wess) Mayor Pro-Tem Kane questioned how much was in the account. City Secretary Wess relayed how much was in the account.

Motion: Council Member Stroop made a motion to approve the World Land Developer's request for Sanitary Sewer Collection System Reimbursement for \$128,837.85.

Second: Council Member Bodwell



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

Opposed: None

Motion: Carries

- C. City Council to Consider and Act on selecting their choice for Board of Directors for the Collin County Central Appraisal District. (Teske) Mayor Teske asked if the Council Members had anything to relay about the candidates. Mayor Pro-Tem Kane stated he would like to see a candidate from a smaller town like Anna on the Board.

Motion: Council Member Stroop made a motion to nominate Tiffany Burleson and Gary Rodenbaugh for the Board of Directors for the Collin County Central Appraisal District.

Second: Council Member Nabors

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

Opposed: None

Motion: Carries

VIII. PUBLIC HEARING

Mayor Teske opened the Public Hearing at 10:15 p.m.

2nd 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 East of FM 205.

Mayor Teske read the caption on the Resolution.

Mayor Teske closed the Public Hearing 10:17 p.m.

V. ITEMS OF INTEREST/CITY COUNCIL COMMUNICATIONS

Police Chief Jones read the results of the election, Mayor of Lavon Charles Teske received 116 votes out of 156 cast, Place 2 Jorge A. Calderon received 108 votes out of 156 cast, and for Place 4 David Hawkins received 60 votes, and Matt Childers received 66 votes. This is with 52 out of the 67 precincts reporting.

XI. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS

Council Member Stroop would like to discuss the Municipal Performance Management and Development Program.

XII. PRESIDING OFFICER TO ADJOURN THE CITY COUNCIL MEETING

Mayor Teske adjourned the meeting at 10:25 p.m.

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



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Mayor Chuck Teske

Attest:

Chris Wess, City Secretary