



City Council Meeting
February 5, 2015, 7:00 PM
City Hall - 665 Country Club Road
Minutes

Call to Order

Mayor Rebecca Mark called the meeting to order at 7:00 p.m.

Present:

Mayor Rebecca Mark

Councilmember Wayne Millsap

Councilmember Steve Duke

Philip Lawrence (absent)

Mayor Pro Tem Kathleen Peele

Councilmember Jim Olk

Councilmember Debbie Fisher Councilmember

Staff:

City Attorney Joe Gorfida

City Manager Joni Clarke

Public Works Dir. Stanton Foerster

Development Svc. Dir. Joe Hilbourn

Fire Chief Jim Kitchens

Finance Director Liz Exum

Admin Assistant Jennifer Clark

HR Manager Cheryl Meehan

It was determined that a quorum was present.

Everyone was reminded to turn off or silence cell phones.

Councilmember Jim Olk led everyone in saying the Pledge of Allegiance.

Citizens' Input

1. Citizens' Input.

Hyun Ballatti, 220 Rising Sun, has been a resident of Lucas for 12 years and has enjoyed raising chickens. I do not use any pesticides on my property, and I enjoy the fresh air away from the City. I moved to Lucas to enjoy my own property however, newcomers to the City are complaining about the county lifestyles. It is my strong opinion that existing regulations of the City of Lucas should not be changed or modified.

Mike Ballatti, 220 Rising Sun, basically what my wife is saying is please keep Lucas country. There are plenty of other towns and cities within the DFW metroplex to live if people do not want animals. If you do not want the country lifestyle move pack to Plano.

John Dunaway, 120 McMillen, came forward to speak regarding water usage and conservation efforts. A couple things I have noticed on our ordinances that need to be updated such as sprinkler systems. This ordinance has not been updated since 2005. I think

we should have more regulations placed on the builders and developers. I would urge the City Council to take a long hard look at what's on the books right now.

Mayor Rebecca Mark recognized Boy Scout Nathaniel Williams, 1 Orchard Road, from Troop 1234, Mr. Williams is currently working toward his Life Badge.

Tristen Murphy from Troop 1234 was also in attendance for tonight's meeting. Mr. Murphy resides in Allen and is currently working on his Eagle Scout.

Community Interest

2. Discussion and update regarding the drought contingency plan, conservation efforts and watering restrictions as it pertains to the City of Lucas.

Councilmember Fisher commented that Ms. Clarke, Mr. Foerster, Mayor Mark, and myself attended a water conference in Austin and have some ideas that you will see in the future.

3. Discussion and provide guidance to the City Attorney and City Staff regarding pending legislation that is being considered by the 84th Legislature.

City Manager Joni Clarke commented this will be a standing item on the agenda as we proceed with this legislative session. If there are any bills that come the attention of the City Council please forward those bills to the City Manager Joni Clarke.

Consent Agenda

The Consent Agenda was presented for consideration and action.

4. Consider the minutes from the January 15, 2015 City Council meeting.
5. Budget adjustment not to exceed \$62,900 for the BW2 design of the Parker Road 12" waterline. Approved at the January 15, 2015 City Council meeting. Water fund reserves will be used to fund this project.

MOTION: Councilmember Jim Olk made a Motion to approve the Consent Agenda as presented. Mayor Pro Tem Kathleen Peele seconded the Motion. Motion carried. Vote: 6-0.

Public Hearings

- No public hearings are scheduled for this meeting

Regular Agenda

6. Consider the City of Lucas compensation market analysis and benefit survey including:

- a. Presentation by Wendi Delgado regarding the results of the comprehensive market salary analysis and benefit survey with discussion related to benefit levels and compensation strategies.
- b. Consider implementation of compensation strategies, benefits enhancements, and funding plan and provide guidance to staff.

Councilmember Wayne Millsap asked that we have three Councilmembers sit down and review the information presented.

Mayor Rebecca Mark commented that we do not delay this, our employees have not had raises and we do not need to delay this any longer than absolutely necessary.

Councilmember Wayne Millsap withdrew his recommendation for a workshop meeting to discuss the compensation and benefits analysis presented. Councilmember Wayne Millsap went on to say design a policy manual to present the City Council along with what the budget impact will be.

City Manager Joni Clarke is hoping to bring the policy manual to the City Council for approval in April.

MOTION: Councilmember Wayne Millsap made a Motion to approve the compensation market analysis and benefit survey as presented. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 6-0

7. Consider Ordinance #2015-01-00806 of the City of Lucas, Texas, amending the Code of Ordinances by amending Chapter 6 titled "Health and Sanitation" by amending Article 6.02 titled "Dumping or Depositing Garbage, Junk or Refuse"; by amending Section 6.02.001 titled "Definitions"; by amending section 6.02.002 titled "Prohibited Acts" to include erosion of soil or stagnant water; by amending Article 6.03 titled "High Grass and Weeds"; titled "Duty to Cut and Mow"; and any adding Article 6.06 titled "Rodent Harborage" to provide regulations to prevent rodent harborage or infestation; providing a repealing clause; providing a severability clause; providing a savings clause; providing for a penalty of fine not to exceed two thousand dollars (\$2,000.00); and providing for an effective date.

Presentation given by Development Services Director Joe Hilbourn.

Mike Ballatti, 220 Rising Sun, my main concern is mulch, leaves and compost are not considered garbage or refuse. As an organic gardener I use compost, mulch, and leaves, in my garden to produce health organic fruits and vegetables. Some may consider organic matter as garbage or refuse but is actually a valuable natural resource. I want to ensure that vegetable gardens are not considered weeds. Article 6.06 Rodent Harborage

should be deleted the article is written to vague. I would ask the City Council to reject Article 6.06 completely.

Councilmember Jim Olk asked that under Section 6.02.002 subsection (a) please remove “properly maintained landfill operator or licensed by the city” we do not have a landfill.

City Attorney Joe Gorfida reviewed the changes requested by the City Council under Section 6.02.002 bring subsection (f) down in Section 6.03.001 section remains the same just remove section (b), and removing Section 6.02.002 subsection (a) please remove “properly maintained landfill operator or licensed by the city” we do not have a landfill.

MOTION: Councilmember Jim Olk made a Motion to approve Ordinance #2015-01-00806 with the corrections as address by City Attorney Joe Gorfida of the City of Lucas, Texas, amending the Code of Ordinances by amending Chapter 6 titled “Health and Sanitation” by amending Article 6.02 titled “Dumping or Depositing Garbage, Junk or Refuse”; by amending Section 6.02.001 titled “Definitions”; by amending section 6.02.002 titled “Prohibited Acts” to include erosion of soil or stagnant water; by amending Article 6.03 titled “High Grass and Weeds”; titled “Duty to Cut and Mow”; and any adding Article 6.06 titled “Rodent Harborage” to provide regulations to prevent rodent harborage or infestation; providing a repealing clause; providing a severability clause; providing a savings clause; providing for a penalty of fine not to exceed two thousand dollars (\$2,000.00); and providing for an effective date. Councilmember Wayne Millsap seconded the Motion. Motion carried. Vote 6 -0.

8. Consider Ordinance #2015-02-00810 of the City of Lucas, Texas, amending the Code of Ordinances by amending Chapter 4 “Business Regulations” by repealing Article 4.02 “Peddlers” by providing a new Article 4.02 titled “Solicitors and Canvassers”; establishing regulations governing solicitation; providing definitions; establishing a permit requirement; establishing a permit fee; prohibiting solicitation in the roadway and from public property adjacent to the roadway; prohibiting specific activities and conduct related to solicitation; and regulating the hours for solicitation.

Presentation given by Development Services Director Joe Hilbourn.

Councilmember Wayne Millsap would like to exempt charitable organizations from the requirements of a permit.

Collin County Sheriff’s Office Deputy Gary Gilchrist came forward to address the City Council. I have been your Deputy for three years and have never had a call on a Boy Scout or Girl Scout. It’s the shady characters and having an ordinance in place would allow me to have a conversation with that individuals.

MOTION: Councilmember Wayne a Motion to approve Ordinance #2015-02-00810 with the modification that under Section 4.02.004 Permit Required that charitable organizations be exempted from obtaining a permit; and under the same Section subsection (f) under fee required strike a fee is not required for charitable solicitation or soliciting for charitable purposes. Councilmember Debbie Fisher seconded the Motion. Motion carried. Vote: 6-0.

9. Consider approval of preliminary plat for the Pennington Addition creating Lot 1 Block A. Being a 5.928 tract of land situated in the William Snider Survey, Abstract number 821. This tract of land is located just to the west of the Fox Glen Subdivision.

Presentation given by Development Services Director Joe Hilbourn.

MOTION: Councilmember Debbie Fisher made a Motion to approve preliminary plat for the Pennington Addition creating Lot 1 Block A. Being a 5.928 tract of land situated in the William Snider Survey, Abstract number 821. This tract of land is located just to the west of the Fox Glen Subdivision. Councilmember Wayne Millsap seconded the Motion. Motion carried. Vote: 6-0.

10. Consider accepting the resignation of Jim Olk, Councilmember for the City of Lucas Seat 2, with a term expiring in May of 2017.

MOTION: Councilmember Wayne Millsap made a Motion to accept the resignation of Jim Olk, Councilmember for the City of Lucas Seat 2, effective as of May 9, 2015 with a term expiring in May of 2017. Mayor Pro Tem Kathleen Peele seconded the Motion. Motion carried. Vote: 6-0.

11. Consider the approval of Ordinance # 2015-02-00809 of the City Council of the City of Lucas, Collin County, Texas, ordering a general election to be held on May 9, 2015, for the purpose of electing the Mayor and two (2) City Councilmember's for Seat no. 3 and for Seat no. 4; and ordering a special election for the City of Lucas, to be held on May 9, 2015, for the purpose of electing a City Councilmember to fill a vacancy for the unexpired term for Seat no. 2; designating location of polling place; ordering notice of election to be given as prescribed by law in connection with such election; authorizing execution of joint election agreement.

MOTION: Councilmember Jim Olk made a Motion to approve Ordinance # 2015-02-00809 of the City Council of the City of Lucas, Collin County, Texas, ordering a general election to be held on May 9, 2015, for the purpose of electing the Mayor and two (2) City Councilmember's for Seat no. 3 and for Seat no. 4; and ordering a special election for the City of Lucas, to be held on May 9, 2015, for the purpose of electing a City Councilmember to

fill a vacancy for the unexpired term for Seat no. 2; designating location of polling place; ordering notice of election to be given as prescribed by law in connection with such election; authorizing execution of joint election agreement. Councilmember Debbie Fisher seconded the Motion. Motion carried. Vote: 6-0.

12. Consider Ordinance No. 2014-12-00805 Amending Chapter 1, Article 1.06, Code of Conduct of the City of Lucas Code of Ordinances regarding the General Standards of Conduct pertaining to Elected Officials and appointed Members of Boards and Commissions and establishing a complaint procedure.

Mayor Rebecca Mark asked that section 6.06.10 be deleted.

MOTION: Councilmember Wayne made Motion to approve Ordinance No. 2014-12-00805 Amending Chapter 1, Article 1.06, Code of Conduct with the deletion of Section 6.06.010 of the City of Lucas Code of Ordinances regarding the General Standards of Conduct pertaining to Elected Officials and appointed Members of Boards and Commissions and establishing a complaint procedure. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 6-0.

13. Consider appointing Stacy Henderson as City Secretary for the City of Lucas.

MOTION: Councilmember Jim Olk made a Motion to appoint Stacy Henderson as City Secretary for the City of Lucas. Councilmember Steve Duke seconded the Motion. Motion carried. Vote: 6-0

Executive Session

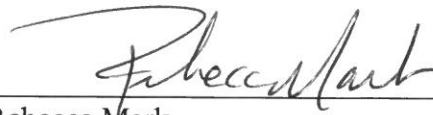
The City Council may convene in a closed Executive Session pursuant to Chapter 551, Subchapter D of the Texas Government Code.

- An Executive Session is not scheduled for this meeting.

Reconvene into Regular Session

14. Adjournment.

MOTION: Councilmember Wayne Millsap a Motion to adjourn the meeting at 9:00 p.m. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 6-0.



Rebecca Mark
Mayor

ATTEST:



Jennifer Clark, TRMC
Administrative Assistant