

AGENDA

City of Lucas City Council Regular Meeting March 17, 2016

7:00 PM

City Hall – Council Chambers 665 Country Club Road – Lucas, Texas

Notice is hereby given that a City of Lucas Regular City Council Meeting will be held on Thursday, March 17, 2016 at 7:00 pm at Lucas City Hall, 665 Country Club Road, Lucas, Texas, 75002-7651 at which time the following agenda will be discussed. As authorized by Section 551.071 of the Texas Government Code, the City Council may convene into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during the meeting.

Call to Order

- Roll Call
- Determination of Quorum
- Reminder to turn off or silence cell phones
- Pledge of Allegiance

Citizen Input

The Citizens' Input portion of the agenda is an opportunity for the public to address the City Council on any subject. By completing a "Request to Speak" form and submitting it to the City Secretary, citizens have an opportunity to speak at the City Council meeting. However, in accordance with the Texas Open Meetings Act, the City Council cannot discuss issues raised or make any decisions but may refer items to City Staff for research and possible inclusion on a future agenda.

1. Citizen Input (Mayor Jim Olk)

Community Interest

Pursuant to Section 551.0415 of the Texas Government Code, the City Council may report on the following items 1) expression of thanks, congratulations or condolences; 2) information about holiday schedules; 3) recognition of individuals; 4) reminders about upcoming City Council events; 5) information about community events; and 6) announcements involving imminent threat to public health and safety.

2. Community Interest (Mayor Jim Olk)

Consent Agenda

All items listed under the consent agenda are considered routine and are recommend to the City Council for a single vote approval. If discussion is desired, an item may be removed from the consent agenda for a separate vote.

- 3. Consider approval of the minutes of the March 3, 2016 City Council meeting. (City **Secretary Stacy Henderson**)
- Consider approving Resolution R 2016-03-00447 of the City of Lucas, Texas opposing a 4. limited access roadway described as a north-south corridor west of Lavon and providing an effective date. (City Manager Joni Clarke)

Regular Agenda

- 5. Consider approving the City of Lucas Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2014-2015 presented by BrooksCardiel, PLLC. (Finance Director Liz Exum)
- Consider appointments to the Friends of the Lucas Fire-Rescue Board to serve for one to 6. two year terms. (Councilmember Millsap/City Secretary Stacy Henderson)
- 7. Consider an appointment to the Board of Adjustment for a vacant board member position. (Mayor Pro Tem Peele/City Secretary Stacy Henderson).
- 8. Discuss and provide direction to staff regarding the City's Code of Ordinances, Section 3.04.004 Construction Site Maintenance to create a time frame that roll off containers (dumpsters) may be on a construction site, consider making roll off containers part of a franchise agreement for solid waste disposal, or consider registering contractors to provide solid waste collection throughout the city with a required fee schedule for the service. (Development Services Director Joe Hilbourn)

Executive Session

The City Council may convene in a closed Executive Session pursuant to Chapter 551.071 of the Texas Government Code.

- 9. Executive Session: An Executive Session is not scheduled for this meeting.
- 10. Adjournment.

Certification

I hereby certify that the above notice was posted in accordance with the Texas Open Meetings Act on the bulletin board at Lucas City Hall, 665 Country Club Road, Lucas, TX 75002 and on the City's website at www.lucastexas.us on or before 5:00 p.m. on March 11, 2016.

Stacy Henderson, City Secretary

In compliance with the American with Disabilities Act, the City of Lucas will provide for reasonable accommodations for persons attending public meetings at City Hall. Requests for accommodations or interpretive services should be directed to Stacy Henderson at 972.912.1211 or by email at shenderson@lucastexas.us at least 48 hours prior to the meeting.



City of Lucas City Council Agenda Request March 17, 2016

Requester: Mayor Jim Olk
Agenda Item:
Citizen Input
Background Information:
NA
Attachments/Supporting Documentation:
NA
Budget/Financial Impact:
NA
Recommendation:
NA
Motion:
NA



City of Lucas Council Agenda Request March 17, 2016

Requester: Mayor Jim Olk

Agenda Item:

Items of Community Interest: No items of Community Interest are scheduled to be discussed for this meeting.

Background Information:

NA

Attachments/Supporting Documentation:

NA

Budget/Financial Impact:

NA

Recommendation:

NA

Motion:

NA

Item No. 03-04



City of Lucas Council Agenda Request March 17, 2016

Requester: City Secretary Stacy Henderson

Agenda Item:

Consent Agenda:

- 3. Consider approval of the minutes of the March 3, 2016 City Council meeting.
- 4. Consider approving Resolution R 2016-03-00447 of the City of Lucas, Texas opposing a limited access roadway described as a north-south corridor west of Lavon and providing an effective date.

Background Information:

NA

Attachments/Supporting Documentation:

- 1. Minutes of the March 3, 2016 City Council meeting
- 2. Resolution R 2016-03-00447

Budget/Financial Impact:

NA

Recommendation:

Approve the Consent Agenda as presented.

Motion:

I make a motion to approve/deny the consent agenda as presented.



City of Lucas City Council Meeting March 3, 2016 7:00 PM

City Hall - 665 Country Club Road – Lucas Texas

Minutes

Call to Order

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

Council Members Present:

Mayor Jim Olk Mayor Pro Tem Kathleen Peele Councilmember Tim Baney Councilmember Debbie Fisher Councilmember Steve Duke Councilmember Wayne Millsap

Council Members Absent:

Councilmember Philip Lawrence

Staff Present:

City Manager Joni Clarke
City Attorney Joe Gorfida
City Secretary Stacy Henderson
Public Works Director/City Engineer Stanton Foerster
Development Services Director Joe Hilbourn
Fire Chief Jim Kitchens
Assistant Fire Chief Ted Stephens

Mayor Olk determined that a quorum was present. Everyone was reminded to turn off or silence their cell phones and the City Council recited the Pledge of Allegiance.

Citizen Input

1. Citizen Input

There was no citizen input.

Community Interest

2. Community Interest Items.

Chief Kitchens conducted the Fire-Rescue Department Promotion Ceremony with promotions to Captain for Ethan Carver, Jonathan Haynes and John Ricker.

The City Council convened for a brief reception for the Fire-Rescue Department promotions at 7:07p.m.

The City Council reconvened the meeting at 7:15 p.m.

Mayor Olk announced that the City recently lost a long-time Lucas resident, former City Council member, founding member of the Trinity Trails, and friend Charlie Gaines. His efforts were tremendous and he will be missed.

Consent Agenda

- 3. Consider approval of the minutes of the February 7, 2016 Town Hall meeting.
- 4. Consider approval of the minutes of the February 18, 2016 City Council meeting.
- 5. Consider approval of Ordinance 2016-03-00831 setting the speed limit on Lewis Lane.
- 6. Consider approval of the City of Lucas Investment Report for quarter ending December 31, 2015.
- 7. Consider adopting Ordinance 2016-03-00834 cancelling the General Election to be held on May 7, 2016 for unopposed City Council candidates for Seat No. 5 and Seat No. 6.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Duke to approve the Consent Agenda as presented. The motion passed unanimously by a 6 to 0 vote.

Regular Agenda

- 8. Presentation and discussion from Lovejoy High School students participating in the Lovejoy ISD Independent Studies Program:
 - Clancy Brooks Arabic
 - Jolen Martinez Political Philosophy

Students Clancy Brooks discussed her presentation on Arabic and Jolen Martinez discussed his presentation on Political Philosophy.

9. Consider appointments to the Friends of the Lucas Fire-Rescue Board to serve for one to two year terms.

Mayor Olk suggested speaking with anyone that was present who had applied to serve on the Friends of the Lucas Fire-Rescue Board. He then asked the City Secretary to call the remaining applicants to check their availability to attend the March 17, 2016 City Council meeting. At that time, the City Council would then consider appointments to the Friends of the Lucas Fire-Rescue Board.

Tim Johnson, 2175 Toole, applied to serve on the Friends of the Lucas Fire-Rescue Board. He stated his son works for the Wylie Fire Department and he wanted to help in whatever way possible.

Grant Gulickson, 200 Doris Drive, stated he had been in law enforcement for 31 years and a Lucas resident for several years and he too wanted to assist the fire department in whatever way possible.

No action was taken at this time. The City Council will consider appointments to the Friends of the Lucas Fire-Rescue Board at the March 17, 2016 City Council meeting.

10. Discussion and provide direction to the City Manager regarding possible changes to the Code of Ordinances, Section 10.03.123 Streets and Drainage subparagraph (i) associated with the regulations and cost of streetlights, by creating a streetlight policy including funding strategies and criteria.

Public Works Director/City Engineer Stanton Foerster gave a presentation discussing streetlight maintenance and the existing streetlights the City is currently paying for.

The City Council discussed developing a standard of where streetlights would be installed, how proposed billing would be handled and the lack of enforcement the City would have regarding collection.

The City Council agreed that any streetlights within the City should comply with the Dark Sky ordinance and should maintain a limited use of streetlights within the City.

The City Council was in agreement that the City will not be taking responsibility for any lights currently being operated by homeowners associations; the City will not be paying for existing lights within neighborhoods that no longer have a homeowners association, including those in Trailside, North Fork Ranch and Lucas Creek Estates; billing and maintenance of subdivision streetlights will be the responsibility of the residents within that subdivision; and all streetlights must comply with the Dark Sky ordinance.

The City Council also wanted the Planning and Zoning Commission to review the subdivision regulations regarding the requirement for streetlights within subdivisions and make a recommendation to the City Council.

11. Discuss and provide direction to the City Manager regarding the Winningkoff Road Reverse Curve Project design elements and design schedule.

Public Works Director/City Engineer Stanton Foerster gave a presentation discussing the design criteria for the reverse curve project as well as the existing right-of-way along the curve area. Mr. Foerster also noted that he received a request from the homeowner at Forestview and Winningkoff to not shift the curve towards his home.

Councilmember Fisher discussed making the intersection at the reverse curve a 3-way stop to reduce speed in the area and the City Council also discussed redesigning the roadway to reduce speeds as well.

Mayor Olk noted that he received emails from the following residents regarding the Winningkoff reverse curve:

Rick and Margie Thompson, 820 Winningkoff Ted Strain, 1760 Winningkoff Kathy Gleason, 1 Manor Lane Ronnie Strebeck, 1020 Winningkoff

The City Council discussed safety concerns associated with the reverse curve and the width of roadway needed in order for a school bus and a vehicle to pass on the reverse curve, using concrete for the roadway materials and even the possible use of rumble strips on the outside of the curve as a safety precaution.

MOTION: A motion was made by Mayor Olk, seconded by Councilmember Millsap to approve proceeding with a typical 24-foot concrete roadway cross-section, with pavement width not to exceed 30 feet plus or minus in the curve to accommodate a passing school bus and a vehicle through the Winningkoff reverse curve. also including a 3-way stop at Forestview and proceed with amending the contract and authorizing the City Manager to negotiate amendments to the contract up to \$140,000. The motion passed unanimously by a 6 to 0 vote.

12. Discuss and consider authorizing the City Manager to enter into a professional services agreement with Metropolitan Infrastructure, PLLC for the redesign of the Blondy Jhune Road Bridge Replacement Project in an amount not to exceed \$64,000.

MOTION: A motion was made by Councilmember Millsap, seconded by Councilmember Baney to authorize the City Manager to enter into a professional services agreement with Metropolitan Infrastructure, PLLC for the redesign of the Blondy Jhune Road Bridge Replacement Project in an amount not to exceed \$63,000. The motion passed unanimously by a 6 to 0 vote.

13. Discuss and provide guidance to the City Manager regarding the Collin County Limited Access Roadways Priority List.

Mayor Olk stated that he attended a meeting at the Collin County offices regarding proposed limited access roadway projects. Mayor Olk noted that Collin County has proposed to make Highway 38 and 78 a north-south corridor that would travel through Collin County. Mayor Olk noted his concern regarding the north-south corridor would be its location west of Lake Lavon that could eventually bring traffic through Lucas. Mayor Olk stated that he strongly opposed the north-south corridor proposal and suggested that the City's legal counsel prepare a resolution that could be sent to the Commissioners Court of Collin County opposing the limited access roadway proposal.

City Manager Joni Clarke stated that should Collin County conduct public hearings regarding the proposed roadway expansions, strategies should be discussed regarding the City's response.

The City Council directed the City Attorney to prepare a resolution for the March 17, 2016 meeting stating the City's opposition to the north-south corridor proposal. Mayor Olk also noted that there was no funding for this project currently.

Public Hearing(s)

- 14. Consider adopting Ordinance 2016-03-00832 amending Section 14.01.004, Subsection B, Definitions of the City's Code of Ordinances to create a new definition for Retirement Home/Senior Independent Living Facility and amending Section 14.03.801, Subsection E of the Code of Ordinances Zoning Use Chart, Schedule of Uses to add a specific use permit requirement for Retirement Home/Senior Independent Living Facility within the Commercial Business and Light Industrial districts and amend the use chart to require a specific use permit for nursing home in the Village Center, Commercial Business and Light Industrial districts.
 - A. Presentation by Development Services Director Joe Hilbourn
 - B. Conduct Public Hearing
 - C. Take Action

Development Services Director Joe Hilbourn gave a brief presentation regarding the new definition for Retirement Home/Senior Independent Living Facility.

Mayor Olk opened the public hearing at 9:17p.m. and asked if anyone in the audience wanted to speak regarding this request. There being no response, the public hearing was closed.

MOTION: A motion was made by Mayor Olk, seconded by Councilmember Baney, to approve Ordinance 2016-03-00832 amending Section 14.01.004, Subsection B, Definitions of the City's Code of Ordinances to create a new definition for Retirement Home/Senior Independent Living Facility and amending Section 14.03.801, Subsection E of the Code of Ordinances Zoning Use Chart, Schedule of Uses to add a specific use permit requirement for Retirement Home/Senior Independent Living Facility within the Commercial Business and Light Industrial districts and amend the use chart to require a specific use permit for nursing home in the Village Center, Commercial Business and Light Industrial districts. The motion passed unanimously by a 6 to 0 vote.

Executive Session

The City Council may convene in a closed Executive Session pursuant to Chapter 551.071 of the Texas Government Code.

15. Executive Session: Discuss the purchase, exchange, sale, lease, or value of real property located in the City of Lucas. *Texas Government Code*, *Subchapter D*, *Section 551.072*

Mayor Olk announced that the City Council would convene into Executive Session at 9:27p.m. to discuss the purchase, exchange, sale, lease, or value of real property located in the City of Lucas per Texas Government Code, Subchapter D, Section 551.072.

The City Council reconvened from Executive Session at 9:42p.m. and no action was needed from the Executive Session.

16.	Adjou	urnment.		
MOTION: A motion was made by Mayor Olk, seconded by Councilmember Duke to adjute the meeting at 9:42p.m. The motion passed unanimously by a 6 to 0 vote.			•	
APPRO	OVED		ATTEST:	
Jim Ol	k, May	or	Stacy Henderson, City Secretary	



RESOLUTION NO. R 2016-03-00447

[OPPOSING A LIMITED ACCESS ROADWAY DESCRIBED AS A NORTH-SOUTH CORRIDOR WEST OF LAVON]

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LUCAS, TEXAS, OPPOSING A LIMITED ACCESS ROADWAY DESCRIBED AS A NORTH-SOUTH CORRIDOR WEST OF LAVON; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Commissioners Court of Collin County, Texas, met in a regular session on February 1, 2016; and

WHEREAS, during said session, the Commissioners approved Court Order No. 2016-089-02-02 supporting four transportation corridors as priority projects and recommending that these projects be planned and funded as Limited Access Roadways (LARs); and

WHEREAS, said Court Order No. 2016-089-02-02 describes these Limited Access Roadways (LARs) as:

- 1. Highway 380
- 2. Highway 78
- 3. North-South Corridor West of Lavon
- 4. Outer loop (from Denton County line eat to US 75); and

WHEREAS, the City of Lucas, a home rule municipality, approved its Thoroughfare Plan on July 17, 2014, which does not include a North-South Corridor west of Lavon as described; and

WHEREAS, Collin County Commissioners Court requests the Regional Transportation Council and TxDOT work with Collin County in getting these priority projects planned, cleared and funded, yet Collin County Commissioners Court have not sought local support or provided the City of Lucas with an opportunity to voice their concerns; and

WHEREAS, upon full review and consideration of Court Order No. 2016-089-02-02 and all matters related thereto, the City Council finds that it is in the best interest of the City of Lucas to oppose the Limited Access Roadway project described as the North-South Corridor West of Lavon.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LUCAS, TEXAS, THAT:

SECTION 1. The City Council is opposed to the Limited Access Roadway project described as the North-South Corridor West of Lavon.

SECTION 2. This Resolution shall take effect immediately upon its passage.

DULY PASSED by the City Cou March, 2016.	uncil of the City of Lucas, Texas, on the 17th day of
ATTEST:	APPROVED:
Stacy Henderson, City Secretary	Jim Olk, Mayor



City of Lucas Council Agenda Request March 17, 2016

Requester: Finance Director Liz Exum

Agenda Item:

Consider approving the City of Lucas Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2014-2015 presented by BrooksCardiel, PLLC.

Background Information:

The audit firm, BrooksCardiel, PLLC will be presenting the Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2014-2015. In June of 2012, the Governmental Accounting Standards Board (GASB) made major changes to its pension standards with the issuance of (GASB) Statement No. 68 (GASB 68), Accounting and Financial Reporting for Pensions – an amendment of GASB No. 27. This statement applies to individual cities in retirement plans and is effective for fiscal years beginning after June 2014. The new GASB rules apply only to the accounting and financial reporting. They do not apply to funding, and will not be used to determine contribution requirements. The actual cost of providing pension benefits has not changed; only where and how pension costs are accounted for in the financial statements.

The new requirements call for these major changes in the report:

- A "Net Pension Liability" will be calculated by the retirement plan's actuary and put on the face of the City's Statement of Net Position ("Balance Sheet") in the government-wide financial statements.
- Pension expense will also be calculated by the actuary, and will no longer be tied to the amount of contributions submitted to the retirement plan each year; rather, it will be tied to the change in net pension liability from year to year. Pension expense will be put in the City's Statement of Changes in Net Position ("Operating Statement") in the government-wide financial statements.
- Some of each year's pension costs will be deferred (deferred inflows and deferred outflows of resources recorded in the Statement of Net Position) and amortized over a number of years.

Attachments/Supporting Documentation:

1. A hard copy of the Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2014-2015 will be distributed before the City Council meeting.

Budget/Financial Impact:

N/A



City of Lucas Council Agenda Request March 17, 2016

Requester: Finance Director Liz Exum

Recommendation:

Approve as presented.

Motion:

I move to approve/deny the City of Lucas Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2014-2015.



City of Lucas Council Agenda Request March 17, 2016

Requester: Councilmember Wayne Millsap City Secretary Stacy Henderson

Agenda Item:

Consider appointments to the Friends of the Lucas Fire-Rescue Board to serve for one to two year terms.

Background Information:

The Friends of the Lucas Fire-Rescue, Inc., is a non-profit charitable corporation that provides the citizens of Lucas an opportunity to support the Lucas Fire-Rescue Department that is completely separate from the Lucas City government. The purpose of the Corporation is to promote the mission of Lucas Fire-Rescue and to provide support in time of need to the Lucas community.

The Friends of Lucas Fire-Rescue needs to fill approximately five to seven Board of Director positions for one to two year terms. The Board will consist of two to three volunteers from the Lucas Fire-Rescue Department, one City Council liaison and two to four Lucas residents appointed by the City Council.

The Fire-Rescue Department conducted their ballot election and nominated Gerald Reining, Denise Fick and Matthew Malik as Board members representing the Fire-Rescue Department and Councilmember Wayne Millsap has been appointed as the City Council liaison.

The City accepted applications from Lucas residents January 25 through February 19 and received seven (7) applications. The Board bylaws allow for two to four residents to be appointed by the City Council to serve on the Friends of the Lucas Fire-Rescue Board for one to two year terms.

Attachments/Supporting Documentation:

- 1. Applications (delivered under separate attachment).
- 2. Bylaws available upon request.

Budget/Financial Impact:

NA

Recommendation:

NA



City of Lucas Council Agenda Request March 17, 2016

Requester: Councilmember Wayne Millsap City Secretary Stacy Henderson

Motion:

I make a motion to appoint the following citizens to the Friends of the Lucas Fire-Rescue Board to serve for a (one or two) _____ year term.



City of Lucas Council Agenda Request March 17, 2016

Requester: City Secretary Stacy Henderson

Agenda Item:

Consider an appointment to the Board of Adjustment for a vacant board member position.

Background Information:

On March 6, 2016, Andrew Sisson had to vacate his position on the Board of Adjustment leaving one open regular board member position. The vacated position has a term that that will expire in November 2016.

In November 2015, the City Council conducted interviews and appointed two new alternate member positions to the Board of Adjustment. The remaining applicants that were interviewed for the alternate positions have been included under separate attachment for your consideration.

Attachments/Supporting Documentation:

- 1. Current Board of Adjustment members (sent under separate attachment)
- 2. Board application listing along with preferences (sent under separate attachment)
- 3. Existing board applications on file that were interviewed as part of the November 2015 City Council meeting (*sent under separate attachment*)

Budget/Financial Impact:

NA

Recommendation:

NA

Motion:

NA



City of Lucas City Council Agenda Request March 17, 2016

Requester: Development Services Director Joe Hilbourn

Agenda Item:

Discuss and provide direction to staff regarding the City's Code of Ordinances, Section 3.04.004 Construction Site Maintenance to create a time frame that roll off containers (dumpsters) may be on a construction site, consider making roll off containers part of a franchise agreement for solid waste disposal, or consider registering contractors to provide solid waste collection throughout the city with a required fee schedule for the service.

Background Information:

The City has had an ongoing concern with dumpsters being placed on commercial sites being used as advertising instead of being used for their intended use trash collection. Staff is recommending amending the City's Code of Ordinances related to construction site maintenance:

Existing Code of Ordinances, Section 3.04.004 - Construction Site maintenance:

- (a) As a condition of receiving a permit for construction under this article, the owner and/or contractor shall place and maintain a minimum 20-cubic yard covered commercial roll-off container during the construction on the site subject of such permit. Prior to final inspection and/or issuance of a certificate of occupancy, such roll-off container shall be removed and its contents disposed of in accordance with state and/or local laws.
- (b) The city council may by resolution establish such fee as it deems appropriate for the placement and/or maintenance of any roll-off container under this article.

Proposed amended Code of Ordinances, Section 3.04.004 – Construction Site Maintenance: *(highlighted in yellow)*

- (a) As a condition of receiving a permit for construction under this article, the owner and/or contractor shall place and maintain a minimum 20-cubic yard covered commercial roll-off container during the construction on the site subject of such permit. The roll off container may be set a maximum of seven days prior to the start of construction and must be removed prior to final inspection and/or issuance of a certificate of occupancy, such roll-off container shall be removed and its contents disposed of in accordance with state and/or local laws. If for any reason construction is abandoned or stopped for a period greater than ten business days such roll-off container shall be removed and its contents disposed of in accordance with state and/or local laws.
- (b) The city council may by resolution establish such fee as it deems appropriate for the placement and/or maintenance of any roll-off container under this article.



City of Lucas City Council Agenda Request March 17, 2016

Requester: Development Services Director Joe Hilbourn

Registering contractors to perform roll-off container services.

* The collection and disposal of solid waste from commercial accounts including residential construction sites in the City of Lucas shall only be performed by those commercial contractors authorized by the city council to conduct such business within the City of Lucas.

NA

Budget/Financial Impact:

NA

Recommendation:

NA

Motion:

I make a motion to direct staff to create an ordinance amending the City's Code of Ordinances, Section 3.04.004 Construction Site Maintenance with the following criteria:



City of Lucas Council Agenda Request March 17, 2016

Requester: Mayor Jim Olk

Agenda Item:

Executive Session: An Executive Session is not scheduled for this meeting.

Background Information:

NA

Attachments/Supporting Documentation:

NA

Budget/Financial Impact:

NA

Recommendation:

NA

Motion:

NA