



City Council Meeting
April 2, 2015
6:00 PM
City Hall - 665 Country Club Road – Lucas Texas
Minutes

Call to Order

Mayor Mark called the meeting to order at 6:00p.m.

Present:

Mayor Rebecca Mark
Mayor Pro Tem Kathleen Peele
Councilmember Debbie Fisher
Councilmember Jim Olk
Councilmember Steve Duke
Councilmember Wayne Millsap
Councilmember Philip Lawrence

Staff:

City Manager Joni Clarke
City Attorney Joe Gorfida
Public Works Director Stanton Foerster
Development Services Director Joe Hilbourn
Fire Chief Jim Kitchens
Finance Director Liz Exum
Human Resources Manager Cheryl Meehan
City Secretary Stacy Henderson

It was determined that a quorum was present.
Everyone was reminded to turn off or silence cell phones.
Councilmember Olk led the Pledge of Allegiance.

Citizen Input

1. Citizen Input.

There was no citizen input at this time.

Community Interest

2. Discuss and provide guidance to the City Attorney and City Staff regarding pending legislation that is being considered by the 84th Legislature and discuss Senate Bill 343 that erodes the authority of Home Rule Municipalities.

City Manager Clarke discussed the Resolution prepared that was placed on the Consent Agenda that opposes Senate Bill 343 stating Senate Bill 343 does not allow for Home Rule cities to enact ordinances that would differ from certain State regulations.

3. Presentation of Proclamation to Bobette Mauck of the Lucas Fire Department.

Mayor Mark presented the Proclamation to Bobette Mauck for her contributions and implementation of the Ready Set Go Program regarding wild land fires.

4. Student Presentations from Lovejoy ISD:

Katie and Lizzy Rosdorff gave a presentation regarding Veterinary Science and Brendan Dunleavy gave a presentation regarding Gaming Programming.

Consent Agenda

The following items were considered as part of the Consent Agenda.

- 5. Consider adopting Ordinance 2015-02-00811 by amending the Code Of Ordinances by amending Chapter 2 titled "Animal Control" by amending Article 2.01 titled "General Provisions" by amending Section 2.01.001 Titled "Definitions" and amending Section 2.01.002 titled "Violations; Penalty" to set forth specific violations; by re-naming Article 2.02 to read "Caring For Animals" to set forth specific regulations and requirements for the care of animals; by amending and re-numbering Article 2.02 Titled "Rabies Control" to Article 2.03.**
- 6. Consider adopting Ordinance 2015-01-00808 amending the Code of Ordinances by amending Chapter 3 titled "Building Regulations" by adding a new Article 3.19 titled "Fencing Requirements" to set forth fencing requirements.**
- 7. Consider adopting Resolution 2015-03-00425 opposing Senate Bill 343 and any other legislation which would erode the authority of a Home Rule Municipality.**
- 8. Consider approval of the minutes of the March 19, 2015 City Council meeting.**

Mayor Mark announced that Agenda Items 5 and 6 would be removed from Consent Agenda for further discussion.

MOTION: A motion was made by Councilmember Millsap, seconded by Councilmember Olk, to approve Consent Agenda Items 7 and 8. The motion passed by a 7-0 vote.

Mayor Mark announced that Agenda Items 5 and 6 would be heard during the Regular Agenda portion of the meeting.

Public Hearings

- 9. Consider approval of an application by Mary Feagin for a specific use permit for a self-storage facility on a parcel of land containing 4.417 acres situated in the William Snider survey, Abstract number 821, tract 32, and lot 1 of the SC Lucas Addition.**
 - a. Presentation by Development Services Director Joe Hilbourn**
 - b. Conduct Public Hearing**
 - c. Take action**

Development Services Director Hilbourn gave a presentation discussing the Planning and Zoning Commission's recommendations of the self-storage facility request.

Councilmember Olk recommended adding the verbiage “outside the storage building” to Item J of Ordinance 2015-03-00426 to state “No on-site storage of commercial or recreational vehicles outside the storage building”.

Mayor Pro Tem Peele discussed screening and elevations of the site and the number of storage units that are currently located within the City.

Councilmember Lawrence stated he had concerns related to the issues that can arise associated with storage facilities such as theft and outside storage, especially without having an on-site manager.

Mayor Mark opened the public hearing at 6:42pm.

Mary Feagin, the applicant 575 N. Country Club, came forward and spoke in favor of the request stating she had a vested interest in the community and had incorporated all the conditions into the site plan recommended by the Planning and Zoning Commission.

Conrad Feagin, the applicant 575 N. Country Club, also spoke in favor and spoke to the security they would have on site, around the perimeter, as well as inside the facility.

Mayor Mark closed the public hearing at 6:49pm.

MOTION: A motion was made by Councilmember Olk, seconded by Councilmember Millsap to approve the request by Mary Feagin for a specific use permit for a self-storage facility on a parcel of land containing 4.417 acres situated in the William Snider Survey, Abstract Number 821, Tract 32, and Lot 1 of the SC Lucas Addition with the following conditions and the verbiage added to Ordinance 2015-03-00426, Item J “outside the storage building”. The motion passed by a 6 – 1 vote with Councilmember Lawrence in opposition.

- A. The Property shall be developed in accordance with the Site Plan attached hereto as Exhibit “B” and made a part hereof for all purposes;
- B. The Property shall be developed in accordance with the Elevations Plan attached hereto as Exhibit “C” and made a part hereof for all purposes;
- C. The buildings shall consist of 100% Austin Stone on east and west elevations;
- D. All colors for all buildings shall be neutral tan and browns;
- E. The monument sign frame shall be in the shape of an L with Austin Stone to match existing signage frames on Angel Parkway;

- F. An eight foot (8') masonry screening wall shall be added on the west side of the detention pond with one three-inch (3") large caliper tree every twenty feet, and a small tree between each large tree staggered in two rows on the east side of the masonry screening wall;
- G. The conduct of sales or other business activity other than storage shall be prohibited within any individual storage unit;
- H. No on-site residence for caretaker/manager shall be permitted;
- I. No storage of U-Haul type truck or trailer shall be permitted on site;
- J. No on-site storage of commercial or recreational vehicles outside the storage building;
- K. No outside storage shall be permitted on-site; and
- L. All fencing shall be wrought iron with masonry and stone posts; and, shall be 8 feet in height as shown on Exhibit "B".

Regular Agenda

- 5. **Consider adopting Ordinance 2015-02-00811 by amending the Code Of Ordinances by amending Chapter 2 titled "Animal Control" by amending Article 2.01 titled "General Provisions" by amending Section 2.01.001 Titled "Definitions" and amending Section 2.01.002 titled "Violations; Penalty" to set forth specific violations; by re-naming Article 2.02 to read "Caring For Animals" to set forth specific regulations and requirements for the care of animals; by amending and re-numbering Article 2.02 Titled "Rabies Control" to Article 2.03.**

Mayor Mark stated she had a comment card from Lou Zriny to speak and asked that she come up at this time.

Lou Zriny, 380 Ingram, spoke in opposition to the request and stated she had concerns that the ordinance did not provide enough language relating to shelter for animals.

Councilmember Millsap discussed the proposed ordinance and clarified the sections that addressed shelter for animals to ensure those needs were being met.

MOTION: A motion was made by Mayor Pro Tem Peele and seconded by Councilmember Lawrence to approve Ordinance 2015-02-00811 amending the Code Of Ordinances by amending Chapter 2 titled "Animal Control" by amending Article 2.01 titled "General Provisions" by amending Section 2.01.001 Titled "Definitions" and amending Section 2.01.002 titled "Violations; Penalty" to set forth specific violations; by re-naming Article 2.02 to read "Caring For Animals" to set forth

specific regulations and requirements for the care of animals; by amending and re-numbering Article 2.02 Titled “Rabies Control” to Article 2.03. The motion passed by a 7-0 vote.

6. **Consider adopting Ordinance 2015-01-00808 amending the Code of Ordinances by amending Chapter 3 titled “Building Regulations” by adding a new Article 3.19 titled “Fencing Requirements” to set forth fencing requirements.**

Councilmember Fisher stated that she did not believe there was a need to be so restrictive that a privacy fence could not be erected if needed.

Councilmember Duke said that should there be a safety or security issue a homeowner could work with their homeowners association to erect a privacy fence.

City Council members discussed fencing requirements and setback requirements for the front yard.

MOTION: A motion was made by Councilmember Millsap and seconded by Councilmember Duke to approve Ordinance 2015-01-00808 amending the Code of Ordinances by amending Chapter 3 titled “Building Regulations” by adding a new Article 3.19 titled “Fencing Requirements” and set forth fencing requirements. The motion passed by a 5 to 2 vote with Councilmember Fisher and Mayor Pro Tem Peele in opposition.

10. **Consider funding and scheduling of the following transportation infrastructure projects:**

- A. **Estates Parkway/Rock Ridge Road Intersection**
- B. **FM 1378 pavement maintenance including the Lucas Christian Academy two turn lanes**
- C. **White Rock Creek Bridge construction**
- D. **Country Club Road/W Lucas Road Intersection**
- E. **W Lucas Road from Country Club Road to Angel Parkway**
- F. **Lucas Road/Southview Drive Intersection**
- G. **Parker Road from Murphy Road to SH 78**

Public Works Director Stanton Foerster gave a presentation discussing each of the transportation infrastructure projects proposed.

The City Council stated they were in favor of moving forward with Estates Parkway and Rock Ridge Road intersection, with no additional budget adjustments. There were also in favor of moving forward with improvements to W. Lucas Road from Country Club Road to Angel Parkway with the three-lane alternative and to move forward with improvements to Lucas Road and the Southview Drive intersection.

Mayor Mark stated that the City Council would be taking a break at 8:19pm.

The City Council reconvened from their break at 8:28pm.

11. Consider prioritizing safety enhancements to Collector Street Projects and authorize staff to work with SAMCO Financial Advisors on the Notice of Intention Resolution to issue Certificates of Obligation.

Mayor Mark called the following individuals to speak:

Carol Winston, 315 E. Blondy Jhune stated that City funds would be better spent borrowing money one project at a time and not accruing interest on more than one loan. Ms. Winston also stated that she was not in favor of the City placing guard rails alongside the roads as they ruin the aesthetics of roadway.

Bob Winston, 315 E. Blondy Jhune asked if the loan debt would increase the tax rate and if there were guarantees in place as to how the funds would be spent.

Public Works Director Stanton Foerster gave a presentation regarding the collector street improvements, guard rail removal and enhancements, as well as funds set aside for those improvements.

Councilmember Lawrence asked if there was an advantage to funding one project at a time.

Public Works Director Foerster stated that going through the design process as well as the bidding process separately takes additional time and funding as opposed to conducting the design process and bids all at the same time.

Councilmember Fisher discussed the funding and auditing process that assures funds were allocated properly.

The City Council discussed with Finance Director Exum the potential tax rates depending on the amount of money that was borrowed.

The City Council suggested this item be brought back to the April 16 meeting in order to discuss the City's debt capacity and borrowing funds.

12. Consider the City of Lucas Volunteer Firefighter Pension Plan, redefined benefits and implementation for the qualified participants of the City of Lucas Fire Rescue Department.

Human Resources Manager Cheryl Meehan gave a presentation discussing existing and proposed pension benefits, qualifications to become a member of the pension plan and the costs associated with the three proposals.

Councilmember Millsap discussed his involvement as part of the Pension Board, vesting options, current firefighter training involved as a volunteer firefighter and incentives for recruitment and retainage of volunteers.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Lawrence to approve the Lucas Volunteer Firefighter Length of Service Award Program at the benefit level of \$15 minimum, \$300 maximum and funded from reserves with contracts to be reviewed by the City of Lucas to be reviewed by the City Attorney and be placed on the consent agenda at the next City Council meeting when approved by the City Attorney. The Pension Plan will be implemented the first day of the month following the contract being signed. The motion passed by a 7-0 vote.

13. Consider providing input on the revision of the Lavon Lake Master Plan by the U.S. Army Corps of Engineers (USACE).

City Manager Clarke stated that the USACE is requesting feedback by April 10 on revisions to the Lake Lavon Master Plan and suggested possible feedback points to be considered.

Mayor Pro Tem Peele suggested limiting the number of marinas on the lake and restricting access to the trails prohibiting bicycles and vehicles except for emergency vehicles.

The City Council asked City Manager Clarke to move forward with the following recommendations as well as the recommendations from Mayor Pro Tem Peele to the U.S. Army Corps of Engineers regarding the Lake Lavon Master Plan revision. The feedback points were:

- Wild hog management
- Consideration of a lease agreement with USACE regarding Brockdale Park
- Consideration of a lease agreement with USACE regarding Highland Park
- Defining utility corridors
- Preservation of wildlife habitat and support of the Blackland Prairie Raptor Center
- Support of the Trinity Trail Preservation Association
- Expansion of trail network and connectivity
- Coordination of public safety services including emergency medical, fire services and law enforcement
- Protection of existing assets and deterring vandalism
- Limiting the number of marinas
- Prohibiting bicycles and vehicles on trails except for emergency vehicles

14. Consider an Interlocal Cooperative Agreement between the City of Lucas and Seis Lagos Utility District regarding the provision of fire and emergency medical services commencing on October 1, 2015.

City Manager Clarke asked the City Council what elements they would like to see in a contract with Seis Lagos moving forward for the terms of the agreement, payment schedule and calculating costs associated with the contract.

The City Council and City Attorney discussed points of the existing contract.

Mayor Pro Tem Peele discussed the calculation rate and believed the calculation should be charged per household and all payments should be made upfront.

Councilmember Millsap discussed operating expenses related to capital as well as interest to be as possible consideration of the calculation process.

The City Council discussed various calculation possibilities.

City Manager Clarke stated she had enough information to move forward and would bring a draft contract back to the City Council.

Executive Session

No Executive Session was scheduled for this meeting.

15. Adjournment.

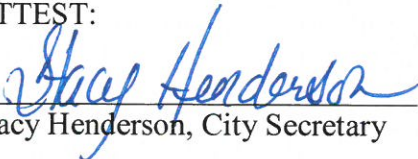
MOTION: A motion was made by Councilmember Millsap, seconded by Councilmember Duke to adjourn the meeting at 10:22 p.m. The motion passed by a 7-0 vote.

APPROVED:



Rebecca Mark, Mayor

ATTEST:



Stacy Henderson, City Secretary