



**City of Lucas  
City Council Meeting  
August 6, 2015  
6:05 PM**

**City Hall - 665 Country Club Road – Lucas Texas**

## **Minutes**

### **Call to Order**

Mayor Olk called the meeting to order at 6:05 p.m.

**Council Members Present:**

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

**Staff:**

City Manager Joni Clarke  
City Secretary Stacy Henderson  
Development Services Director Joe Hilbourn  
Public Works Director Stanton Foerster  
Fire Chief Jim Kitchens  
Finance Director Liz Exum  
Public Works Intern Reese Jackson

**Council Members Absent:**

Councilmember Philip Lawrence  
Councilmember Wayne Millsap  
City Attorney Joe Gorfida

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

### **Citizen Input**

**1. Citizen Input**

There was no citizen input.

### **Community Interest**

**2. Community Interest Items.**

Mayor Olk announced that he would not be in attendance at the August 20, 2015 City Council meeting and Mayor Pro Tem Peele would be leading the meeting.

Mayor Pro Tem Peele announced that the Founders Day event was approaching and would be held on October 24, 2015. Mayor Pro Tem Peele discussed the Stick Horse Rodeo event.

Renee Phillips, 1325 Stinson Road, brought up concerns she had with removal of debris on her property stating having the debris removed was very expensive and wanted to know if the City provides assistance with the removal of debris like other surrounding cities.

Mayor Olk stated that because this was not an item on the agenda, it could not be discussed at the meeting, but he would contact her to discuss the matter further.

Public Works Director Stanton Foerster brought forward an item of community interest related to the City's water distribution. He stated that the prior week, the City had an issue where the demand exceeded capacity which resulted in emergency activities. The future need of a new storage tank was discussed.

Mayor Olk recognized Boys Scouts Cody and Justin Larimer that were in the audience working towards their citizenship badges.

### Consent Agenda

#### 3. Consider approval of the minutes of the July 16, 2015 City Council meeting.

**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 5 to 0 vote.*

### Public Hearings

#### 4. Consider amendments to Chapter 14 of the Code of Ordinances.

- A. Sec. 14.01.004 Definitions
- B. Sec. 14.02.032 Organization and procedure
- C. Sec. 14.02.033 Appeals
- D. Sec. 14.03.113 Area regulations
- E. Sec. 14.03.173 Area regulations
- F. Sec. 14.03.233 Area regulations
- G. Sec. 14.03.293 Building regulations
- H. Sec. 14.03.296 Site plan approval
- I. Sec. 14.03.297 Landscaping plan approval
- J. Sec. 14.03.353 Development regulations
- K. Sec. 14.03.472 Building regulations
- L. Sec. 14.04.253 General provisions
- M. Sec. 14.04.304 General accessory buildings and structures regulations
- N. Any changes the council may wish to entertain.

Development Services Director Joe Hilbourn presented proposed changes to Chapter 14 of the Code of Ordinances.

Mayor Olk reviewed and made suggestions of various changes with Mr. Hilbourn.

The City Council suggested this item be tabled to allow staff an opportunity to update Chapter 14 of the Code of Ordinances with the suggested modifications.

**MOTION:** *A motion was made by Councilmember Fisher, seconded by Mayor Pro Tem Peele to table the agenda item to the August 20, 2015 City Council meeting. The motion passed unanimously by a 5 to 0 vote.*

5. **Consider the request of BDM Developers for a zoning change request from R-2 and AO to R-2 for a parcel of land situated in the State of Texas, County of Collin, and City of Lucas, being part of the John Cahill Survey, Abstract No. 146 and part of the John Kerby Survey, Abstract No. 506, and being part of Lot 3R of Rock Creek Acres, an addition to the City of Lucas as recorded in Volume 2013, Page 170 of the Collin County Map Records, more commonly known as the Enloe Property.**

A presentation was given by Development Services Director Joe Hilbourn stating the parcel was more commonly known as the Enloe parcel and had been previously used as a gravel quarry and dump site for excess fill dirt. Mr. Hilbourn stated the Planning and Zoning Commission has recommended approval of the rezoning request.

Mayor Olk asked if anyone in the audience wanted to speak regarding this matter. There being none, the public hearing was closed.

**MOTION:** *A motion was made by Councilmember Duke, seconded by Councilmember Fisher to approve the zoning change request from R-2 and AO to R-2. The motion passed unanimously by a 5 to 0 vote.*

<b>Regular Agenda</b>
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6. **Discuss the Fiscal Year 2015-2016 Proposed Budget.**

Finance Director Liz Exum gave a presentation discussing the changes made to the proposed budget from the City Council Budget Workshop discussions.

The City Council discussed Fire Department staffing, future needs and the need for additional information to forecast trends for the future. The Council discussed staffing levels and coverage issues for the fire truck and EMS.

The City Council also discussed setting aside funds for future capital projects as well as the need for a water storage tank in the future.

Councilmember Fisher suggested having discussions regarding adding a surcharge for large volume water users.

Mayor Olk announced that two public hearing would be held regarding the budget on August 20 and September 3, 2015.

This was a discussion item only, no action was taken.

7. **Consider approval of Ordinance 2015-08-00817 of the City of Lucas, Texas calling a Bond Election for construction, improvement, maintenance, and repair of municipal streets in the City of Lucas, Texas; making provision for the conduct of a joint election with Collin County to be held on November 3, 2015; and resolving other matters incident and related to such election.**

The City Council discussed the new dollar amounts brought forward for each of the street projects was significantly higher than previously discussed.

Public Works Director/City Engineer Stanton Foerster stated that data had only been collected on certain streets and some infrastructure quoted was less substantial than what was needed and therefore, the price had increased. Preparation was also made for a contingency for the project.

Councilmember Fisher stated that she could not move forward with such a large number of \$23 million to the voters.

Mayor Olk stated that he was not comfortable moving forward with a bond election to the voters if there was not an exact amount known of what must be spent on each project.

Mr. Foerster discussed various roadway designs and also discussed several options for street improvements with the City Council.

The City Council agreed that a better study must be completed and more accurate numbers obtained in order to move forward with a bond election and suggested postponing the bond election until May 2016.

**MOTION:** *A motion was made by Councilmember Baney, seconded by Councilmember Duke to deny Ordinance 2015-08-00817 of the City of Lucas, Texas calling a Bond Election for construction, improvement, maintenance, and repair of municipal streets. The motion for denial passed unanimously by a 5 to 0 vote.*

8. **Discuss sales tax for street improvements and the sales tax dedicated for property tax reduction.**

The City Council agreed that the sales tax item should be considered as part of the May 2016 election as well.

This was a discussion item only, no action was taken.

**9. Discuss the proposed City of Lucas Property Tax Rate for Fiscal Year 2015-2016.**

Finance Director Liz Exum stated that rollback rates had been received and discussed the following options for fiscal year 2015-16 with the City Council:

- Maximum roll back tax rate - .340103 (.234956 M&O and .105147 Debt)
- Existing tax rate - .320661 (.215514 M&O and .105147 Debt)
- Effective tax rate - .295929 (.190782 M&O and .105147 Debt)

The City Council agreed to maintain the existing tax rate.

**MOTION:** *A motion was made by Councilmember Fisher, seconded by Mayor Pro Tem Peele to adopt Option No. 2 maintaining the existing tax rate of .320661 for the 2015 tax year. The motion passed unanimously by a 5 to 0 vote.*

**Record Vote:**

<i>Councilmember Fisher</i>	<i>Yes</i>
<i>Councilmember Baney</i>	<i>Yes</i>
<i>Councilmember Duke</i>	<i>Yes</i>
<i>Mayor Olk</i>	<i>Yes</i>
<i>Mayor Pro Tem Peele</i>	<i>Yes</i>
<i>Councilmember Lawrence</i>	<i>Absent from meeting</i>
<i>Councilmember Millsap</i>	<i>Absent from meeting</i>

**10. Consider the selection of the most qualified certified public accounting firm to perform the City's annual audit for Fiscal Year ending September 30, 2015 and authorize City staff to negotiate the contract.**

Finance Director Liz Exum stated that the City's Home Rule Charter states that the same firm or certified public accountant shall complete no more than five (5) consecutive annual audits. The City has used the same audit firm for six consecutive years and therefore has sent out for proposals for auditing services.

Ms. Exum stated that after reviewing the proposals and qualifications, staff was recommending BrooksCardiel, PLLC for the fiscal year end September 30, 2015 with an option to renew for four years.

**MOTION:** *A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Baney to select BrooksCardiel, PLLC to conduct the City's annual audit for the fiscal year end September 30, 2015 with an option to renew for four years. The motion passed unanimously by a 5 to 0 vote.*

11. **Consider the FY 14-15 Street Maintenance list and authorize the Mayor to proceed with an agreement with APAC for asphalt placement and roadway milling in an amount not to exceed \$696,118.**

Public Works Director/City Engineer Stanton Foerster stated that staff was working with APAC in a cooperative agreement to have roadway maintenance completed on various roads within the City of Lucas. Based on the fiscal year 14-15 Street Maintenance Plan, staff was recommending the following roadways have maintenance conducted.

1. Christian Lane
2. Forest Grove Road
3. Graham Lane
4. Lakeview Drive
5. Wendy Lane

**MOTION:** *A motion was made by Councilmember Duke, seconded by Councilmember Baney to approve the Street Maintenance list and authorize the Mayor to proceed with an APAC agreement for asphalt placement and roadway milling in an amount not to exceed \$696,118. The motion passed unanimously by a 5 to 0 vote.*

12. **Consider a line item transfer from the citizens on patrol program (6999-327) in the amount of \$504 and the law enforcement line item (6999-326) in the amount of \$5,252 to the Development Services Department overtime line item (6212-111) in the amount of \$5,756.**

City Manager Joni Clarke stated that additional funds were needed for code enforcement efforts during the weekend and a line item transfer is being recommended.

**MOTION:** *A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Fisher to approve the line item transfer in the amount of \$5,756.00 to the Development Services overtime account. The motion passed unanimously by a 5 to 0 vote.*

<b>Executive Session</b>
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13. **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 be convening into Executive Session at 8:37 pm.

Councilmember Millsap arrived at the City Council meeting at 8:47 pm and joined City Council in Executive Session.

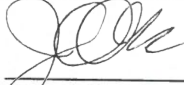
**14. Reconvene into Regular Session and take any action necessary as a result of the closed Executive Session.**

The City Council reconvened into Regular Session at 9:08 pm and Mayor Olk announced that no action would be taken as a result of the Executive Session.

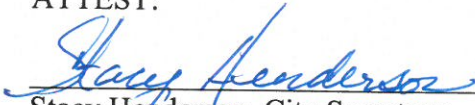
**15. Adjournment.**

**MOTION:** *A motion was made by Councilmember Millsap, seconded by Councilmember Baney to adjourn the meeting at 9:09 pm. The motion passed unanimously by a 6 to 0 vote.*

APPROVED:

  
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Jim Olk, Mayor

ATTEST:

  
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Stacy Henderson, City Secretary