



City of Lucas  
City Council Meeting  
August 18, 2016  
7:00 P.M.

City Hall - 665 Country Club Road – Lucas Texas

## Minutes

### Call to Order

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

**City Councilmembers Present:**

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

**Staff Present:**

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

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

### Citizen Input

**1. Citizen Input:**

Lisa Chapman, 2285 Lucas Creek Drive, expressed her concerns regarding proposed amendments to accessory building regulations currently under review and being discussed by the Planning and Zoning Commission. Ms. Chapman suggested that accessory buildings be allowed up to 1,000 square feet in all residential districts, kitchens be allowed within accessory buildings and the definition related to habitable space include family members.

Mayor Olk explained that the amendment was currently under review by the Planning and Zoning Commission and would be discussed at their September 8, 2016 meeting. Once the Commission had completed their review, the item would be forwarded to the City Council for final approval. Mayor Olk stated that tentatively this item was slated to be heard by the Council in October.

Maureen Miller, 317 McMillen, stated that it was difficult for citizens to know where items are in the process and asked if a status of what's happening in the City could be posted on the City's website to keep the citizens better informed of the process.

## Community Interest

### 2. Community Interest Items:

Mayor Pro Tem Peele reminded everyone of the upcoming Founders Day event scheduled for October 22, 2016 and to take part in the stick horse rodeo. Councilmember Fisher noted that Lucas History would be on display again at the Community Center during Founders Day and to contact her should anyone have additional historical items for the event.

## Consent Agenda

### 3. Consider approval of the minutes of the August 4, 2016 City Council meeting.

***MOTION:** A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Duke to approve the minutes as presented. The motion passed unanimously by a 7 to 0 vote.*

## Public Hearings

### 4. Discuss and consider granting an ordinance for a zoning change request from R-2 to C, Commercial Business for a parcel of land located at 2205 Estates Parkway, situated in the Jas M Snider Survey, Abstract A0824 Tract 34, being all of 2.333 acres requested by the applicant, Robert Kubicek.

- A. Presentation by Development Services Director Joe Hilbourn
- B. Conduct Public Hearing
- C. Take Action

Development Services Director Joe Hilbourn stated that this request was heard and denied by the Planning and Zoning Commission, by a 4 to 1 vote, at their July 14, 2016 meeting. The applicant appealed the Commission's decision to the City Council.

Mr. Hilbourn noted that the request proposes to change current zoning of R-2 to Commercial Business. The property currently has a section of legal non-conforming self-storage units and another section of illegal non-conforming self-storage units that were placed on site without a permit. The zoning change request would allow the illegal non-conforming self-storage units to remain and should the zoning request be approved, a specific use permit would still be required for the property.

Mayor Olk opened the public hearing at 7:22 pm.

Bob Jarvis, 123 W. Houston Street, Sherman, Texas representing the applicant stated that when Mr. Kubicek began his storage business, his property was located in the City's extraterritorial jurisdiction and zoned commercial by the County. When the City annexed the property, Mr. Kubicek assumed he could operate his business as he had previously. Mr. Jarvis stated that the storage facility would not create additional traffic for the area and the business was needed to sustain his income.

The following citizens expressed their opposition to the zoning change request, discussing concerns related to commercial uses in a residential area, commercial uses that could locate on the property should it be sold in the future, increasing number of storage containers, and the unsightly view of the property.

Mike Oliver, 8080 Claremont Drive, Lucas  
Susan Oliver, 8080 Claremont Drive  
Diane Dercks, 820 Maplewood  
Bill Kelley, 2175 Estates Parkway  
Rick Scanlan, 2085 Claremont Drive  
David Hooper, 821 Maplewood Lane  
Nazia Hooper, 821 Maplewood Lane

Mayor Olk closed the public hearing at 7:46 pm.

Councilmember Lawrence asked how many storage containers were added without permits.

Development Services Director Joe Hilbourn stated that approximately 40 containers were added without permits.

Mayor Olk stated that if only one parcel of land within a zoning district is changed, it was called spot zoning, which was illegal.

**MOTION:** *A motion was made by Mayor Olk, seconded by Mayor Pro Tem Peele to deny the zoning change request from R-2 to C, Commercial Business for a parcel of land located at 2205 Estates Parkway, situated in the Jas M Snider Survey, Abstract A0824 Tract 34, being all of 2.333 acres requested by the applicant, Robert Kubicek. The motion to deny passed unanimously by a 7 to 0 vote.*

## Regular Agenda

### 5. Discuss the proposed City of Lucas Property Tax Rate for Fiscal Year 2016-2017.

Finance Director Liz Exum gave a presentation noting that at the August 4, 2016 City Council meeting, the effective tax rate of .317948, was approved to be published in the City's official newspaper. Ms. Exum noted that because the Council approved publishing the effective tax rate, public hearings were not required and the scheduled date to officially adopt the tax rate was set for September 15, 2016.

Councilmember Millsap noted that the City's revenue increased by 10.5 percent. He explained that five percent of the revenue increase was from existing appraised values and the remaining revenue increase was from new property added to the tax roll. Councilmember Millsap also explained that adopting the effective tax rate helps to stabilize the rate and avoid fluctuations.

Councilmember Fisher stated that she was still in favor of lowering the tax rate below the effective tax rate.

Ms. Exum noted that adopting the effective tax rate would increase a homeowners taxes by \$14.80 per 100,000 value.

Councilmember Millsap noted that the City was expecting major capital project expenses in the next few years and suggested setting aside funds for future projects as revenue becomes available through the General Fund.

The City Council was in agreement with earmarking funds towards certain projects in the upcoming budget.

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

## **6. Discuss the Fiscal Year 2016-2017 Proposed Budget.**

Councilmember Millsap noted that he met with City staff and discussed the following suggested changes to the 2016-2017 proposed budget:

- Sales tax revenues for streets be adjusted up by \$40,000 to properly reflect a one-half a percent calculation on base projected sales.
- Fire District transfer be adjusted up by \$40,000 to properly reflect the one-half percent calculation on base projected sales.
- Grant revenues be adjusted up by \$28,400 for the Texas Forest Service grant in the amount of \$8,400 for protective clothing and a \$20,000 grant for a CPR device was not included in grant revenues.

Councilmember Millsap suggested considering a sewer rate increase as part of the budget as the City was barely covering expenses incurred from the North Texas Municipal Water District.

The Council was in agreement to discuss this item further once the water rate study was conducted later in the fiscal year.

Councilmember Millsap also suggested that an additional \$20,000 to \$40,000 be budgeted for law enforcement for additional resources and overtime hours as the City continues to grow.

The Council was also in agreement to discuss this item further once they had met with the Collin County Sheriff's office in October to better assess the needs of the City and make a mid-year adjustment should it be needed.

Mayor Olk suggested the following changes to the 2016-2017 proposed budget:

- Suggested staff go out for competitive bids regarding the City's technology needs as the Information Technology contract had increased by six percent.
- Suggested reviewing the health service permit revenue account to accurately reflect the actual number of permits that were being billed
- Suggested earmarking funds for capital projects
- Funds were budgeted in the 2015-2016 fiscal year budget for dead-end connections and noted that they were budgeted again in the 2016-2017 fiscal year budget and expressed his

concern as to whether the connections could be completed this year given the number of projects currently ongoing.

Public Works Director/City Engineer Stanton Foerster stated that with the new Engineering Technician now on staff, the project would be completed.

Chris Taylor, 1455 Holy Oak, came forward and stated that he was in favor of budgeting additional funds for law enforcement and explained an incident that occurred where he waited two hours before law enforcement could arrive to the scene.

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

**7. Discuss and provide guidance to staff regarding the revision and amendment of the Comprehensive Plan including:**

- Chapter 1 – Introduction
- Chapter 2 – Demographics
- Chapter 3 – Housing
- Chapter 4 – Land Use
- Chapter 5 – Economic Development
- Chapter 6 – Parks, Recreation & Open Space
- Chapter 7 – Streets, Drainage & Master Thoroughfare Plan
- Chapter 8 – Water System

City Manager Joni Clarke stated that the Comprehensive Plan would continue to be a standing item on the Council agenda for discussion purposes and should the Council have any comments or updates to the Comprehensive Plan to forward those to Development Services Director Joe Hilbourn and City Secretary Stacy Henderson.

This item was for discussion only, no formal action was taken.

**8. Discuss and consider 2014 Update of the Collin County Mobility Plan and how it relates to the City of Lucas Thoroughfare Plan and direct the City Manager regarding possible action to amend the City of Lucas Thoroughfare Plan.**

Mayor Pro Tem Peele discussed the Collin County Mobility Plan that was recently adopted which varied greatly from the Lucas Comprehensive Plan and Thoroughfare Plan. Mayor Pro Tem Peele outlined roadways in Lucas that the County Mobility Plan had identified as roadways that would be widened in the future:

- Blondy Jhune – 4-lane undivided
- Winningkoff Road – 4-lane undivided
- Southview Drive – 6-lane divided
- Orr Road – north of Forest Grove – 6-lane divided
- Country Club Road and Lucas Road – 6-lane divided

Mayor Pro Tem Peele asked Council to review the City's Thoroughfare Plan and identify any necessary changes before the City Council met with the County in the next few months.

Mayor Pro Tem Peele encouraged residents to contact their County Commissioners and attend Commissioners Court meetings to express their concerns related to the recently adopted Collin County Mobility Plan.

Maureen Miller, 317 McMillan, asked if a community task force could be formed to assist in educating the citizens of Lucas, and she also suggested having the information in the City's newsletter to inform the public.

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

#### Executive Session

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

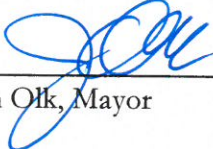
#### 9. Executive Session:

There was no Executive Session scheduled for this meeting.

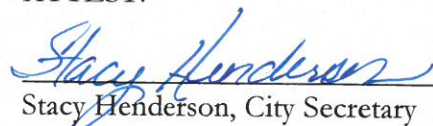
#### 10. Adjournment.

**MOTION:** *A motion was made by Councilmember Millsap, seconded by Councilmember Duke to adjourn the meeting at 8:45 pm. The motion passed unanimously by a 7 to 0 vote.*

APPROVED:

  
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Jim Olk, Mayor

ATTEST:

  
\_\_\_\_\_  
Stacy Henderson, City Secretary

