



**City of Lucas
City Council Meeting
November 5, 2015
5:50 PM**

City Hall - 665 Country Club Road – Lucas Texas

Minutes

Call to Order

Mayor Olk called the meeting to order at 5:50 p.m.

Council Members Present:

Mayor Jim Olk
Mayor Pro Tem Kathleen Peele
Councilmember Debbie Fisher
Councilmember Philip Lawrence *(arrived at 6:50pm)*
Councilmember Tim Baney
Councilmember Wayne Millsap *(arrived at 6:56pm)*

Staff Present:

City Secretary Stacy Henderson
City Attorney Joe Gorfida
Development Services Director Joe Hilbourn
Public Works Director/City Engineer Stanton Foerster
Finance Director Liz Exum

Council Member Absent:

Councilmember Steve Duke

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.

Executive Session Conference Room

The City Council may convene in a closed Executive Session pursuant to Chapter 551.074 of the Texas Government Code (Personnel Matters).

- 1. Pursuant to Section 551.074 of the Texas Government Code, the City Council will convene into Executive Session to discuss existing Board of Adjustment membership and conduct interviews for appointments to the Board of Adjustment.**

Mayor Olk announced that the City Council would convene into Executive Session at 5:51pm to conduct interviews for appointments to the Board of Adjustment. Applicants were brought into executive session at staggered times to conduct interviews with the City Council.

- 2. Reconvene into Regular Session and take any action necessary from the Executive Session.**

The City Council reconvened into the Regular Session at 7:33pm.

***MOTION:** A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Fisher to appoint Adam Sussman to the Alternate 1 position on the Board of Adjustment and Tommy Tolson to the Alternate 2 position on the Board of Adjustment. The motion passed unanimously by a 6 to 0 vote.*

Citizen Input

3. Citizen Input

There was no citizen participation.

Community Interest

4. Community Interest Items.

Councilmember Baney announced that the Parks and Open Space Board was hosting a Water Conservation class on Saturday, November 14 from 2:00 to 4:00pm at the Community Center.

Councilmember Fisher discussed the display in the Council Chambers related to the history of Lucas and that the items would be on display during the month of December and at the Country Christmas event on December 4 at 7:00pm.

Mayor Olk read a proclamation from Senator Taylor that was received as part of the 2015 Founders Day event.

Consent Agenda

5. **Consider approval of the minutes of the October 15, 2015 City Council meeting.**
6. **Consider authorizing the City Manager to enter into a Lease Agreement between the City of Lucas and Family Promise of Collin County for a period of one year ending November 30, 2016 with renewals of successive one year terms on December 1st of each year unless terminated.**
7. **Consider adopting Ordinance 2015-11-00824 granting to Atmos Energy Corporation, a Texas and Virginia corporation franchise to construct, maintain, and operate pipelines and equipment in the City of Lucas for the transportation, delivery, sale, and distribution of gas in, out of, and through said City for all purposes.**

Mayor Pro Tem Peeled asked that the word “natural gas” be added to the Atmos Energy agreement.

Mayor Olk asked that Agenda Item No. 7 be removed from the Consent Agenda for discussion.

MOTION: *A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Lawrence to approve Agenda Items 5 and 6 on the Consent Agenda. The motion passed unanimously by a 6 to 0 vote.*

Regular Agenda

- 7. Consider adopting Ordinance 2015-11-00824 granting to Atmos Energy Corporation, a Texas and Virginia corporation franchise to construct, maintain, and operate pipelines and equipment in the City of Lucas for the transportation, delivery, sale, and distribution of gas in, out of, and through said City for all purposes.**

Mayor Olk wanted to ensure that the franchise agreement requires Atmos to comply with all city regulations and that in an emergency situation the City would be able to turn off the gas if needed.

Mr. Gorfida stated that the franchise agreement does require that Atmos comply with all city regulations but it does not address emergency situations. Mr. Gorfida stated that he would need to discuss that matter with Atmos Energy.

The Council discussed the commercial areas where the franchise agreement would be in effect and the financial impact if any regarding work in the right of way.

No action was taken on this item. It will be brought back to the City Council at a later time once the City Attorney has the information needed.

- 8. Discuss the city-wide replacement of water registers and associated utility billing and provide staff direction or further recommendations.**

Mayor Olk gave a presentation regarding water register replacement and utility billing. He discussed water register failures that occurred between 2010 and 2014 and in 2015 the City began replacement of all water registers. Mayor Olk discussed estimates to water bills that had occurred because of register failures and the water restrictions in place during that time. Mayor Olk also discussed the water purchased by the City from the NTMWD in 2015 was much greater than the year before. He also stated that Staff had received approximately 400 complaints regarding high water bills.

Mayor Olk and the City Council discussed credits that had been given to customers to date as well as funds lost due to water consumption not being accounted for. The Council also discussed estimating that had occurred on accounts and staff's efforts to rectify the situation through adjustments, testing meters and monitoring accounts for usage.

MOTION: *A motion was made by Councilmember Millsap, seconded by Councilmember Baney to waive late fees for the November billing cycle and reinstate late fees for the December billing cycle. The motion passed unanimously by a 6 to 0 vote.*

MOTION: *A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Millsap to reinstate service fees effective with the November billing cycle. The motion passed unanimously by a 6 to 0 vote.*

MOTION: *A motion was made by Councilmember Millsap, seconded by Councilmember Lawrence that no other adjustments be made to accounts unless the bill was calculated incorrectly. The motion passed unanimously by a 6 to 0 vote.*

9. Provide direction to the City Manager regarding the need to paint the McGarity water tower.

MOTION: *A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Millsap to direct Verizon to repaint the word Lucas on the water tower. The motion passed unanimously by a 6 to 0 vote.*

10. Consider adopting Ordinance 2015-11-00825 amending Chapter 12 of the Code of Ordinances titled “Traffic and Vehicles” by adding Article 12.05 titled “Stopping, Standing, and Parking” for the purpose of prohibiting parking along various roadways.

Councilmember Lawrence stated he was in favor of the ordinance except for the section related to towing.

MOTION: *A motion was made by Councilmember Lawrence, seconded by Mayor Pro Tem Peele to approve Ordinance 2015-11-00825 amending Chapter 12 of the Code of Ordinances titled Traffic and Vehicles and removing Section 12.05.002 related to towing. The motion passed unanimously by a 6 to 0 vote.*

11. Consider authorizing the Mayor to enter into a Development Agreement between the City of Lucas and Goose Real Estate Inc., for a parcel of land situated in the Calvin Boles Survey, ABS Number 28 also known as Lots 1-9 of the Ford Cattle Ranch being 67.0300 acres.

Development Services Director Joe Hilbourn gave presentation discussing items within the development agreement related to allowing accessory structures, road maintenance on roadways surrounding the subdivision and reimbursement to the developer for the cost of road improvements up to the amount of impact fees.

James Roberts, President of Goose Real Estate, Inc., stated the accessory buildings would be similar to a barn for housing of horses or boats.

The City Council discussed the requirements for accessory buildings and imposing limitations related to the use of the accessory building.

Councilmember Millsap stated he did not want to set a precedent going forward with other proposed subdivisions.

The City Council discussed issues surrounding accessory buildings.

Joe Gorfida, City Attorney, stated the option to allow construction of accessory buildings prior to the main structure could be removed and require the main structure be in accordance with R-2 zoning and conceptual site plan requirements.

The City Council asked the City Attorney to amend the development agreement removing the option to allow accessory structures. No action was taken and will be brought back to City Council at a later time.

12. Discuss and give staff direction regarding amendments to Chapter 10 of the Code of Ordinances Subdivision Regulations including optional land studies, adding road types to match the Master Thoroughfare Plan, changing the location of the Fee Schedule to Appendix C of the Code of Ordinances and adding requirements pertaining to OSSF.

Mayor Olk suggested the following changes be made to Chapter 10:

- Consistent language related to development services director
- Refer to wastewater systems, not sanitary sewer system
- Information related to storm sewers
- Non-operational homeowners associations

No action was taken on this item, Staff will make changes and bring back to the City Council.

13. Discuss and provide direction to staff regarding declaring December as Lucas History Month.

Councilmember Fisher discussed the historical displays in the Council Chambers related to the history of Lucas. She stated that the items would be on display in the Council Chambers during the month of December and as part of the Country Christmas festivities on December 4.

Mayor Olk stated that would like to memorialize Lucas History Month by resolution at the December 3, 2015 City Council meeting.

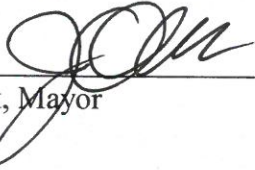
14. Consider selecting a date for the 2016 Founders Day event.

The City Council was in agreement selecting the date of October 22, 2016 for the 2016 Founders Day event.

15. Adjournment.

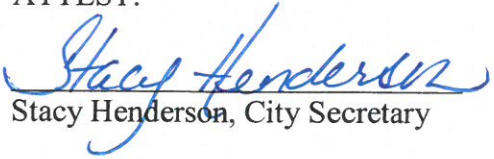
MOTION: *A motion was made by Councilmember Millsap, seconded by Mayor Olk to adjourn the meeting at 9:20pm. The motion passed unanimously by a 6-0 vote.*

APPROVED:



Jim Olk, Mayor

ATTEST:



Stacy Henderson, City Secretary

