



**City Council Regular Meeting
March 7, 2013, at 7:00 PM
City Hall - 665 Country Club Road
Minutes**

Call to Order

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

Present:

Mayor Rebecca Mark	Mayor Pro Tem Kathleen Peele
Councilmember Wayne Millsap	Councilmember Jim Olk
Councilmember Steve Duke	Councilmember Philip Lawrence (absent)
Councilmember Debbie Fisher	City Manager Jeff Jenkins
City Secretary Kathy Wingo	Fire Chief Jim Kitchens
Public Works Director Stacy Caudell	Finance Manager Liz Exum
City Attorney Joe Gorfida	

It was determined that a Quorum was present.
Everyone was reminded to turn off or silence cell phones.
Scout Timothy Hall led everyone in saying the Pledge of Allegiance.

Citizens' Input

1) Citizens' Input.

There was no one present who wished to speak during Citizens' Input.

Community Interest

2) Items of Community Interest.

Councilmember Debbie Fisher stated that she would be attending the Sewer Oversight Committee meeting on March 22, 2013, and will provide a report to Council afterwards.

Public Hearings

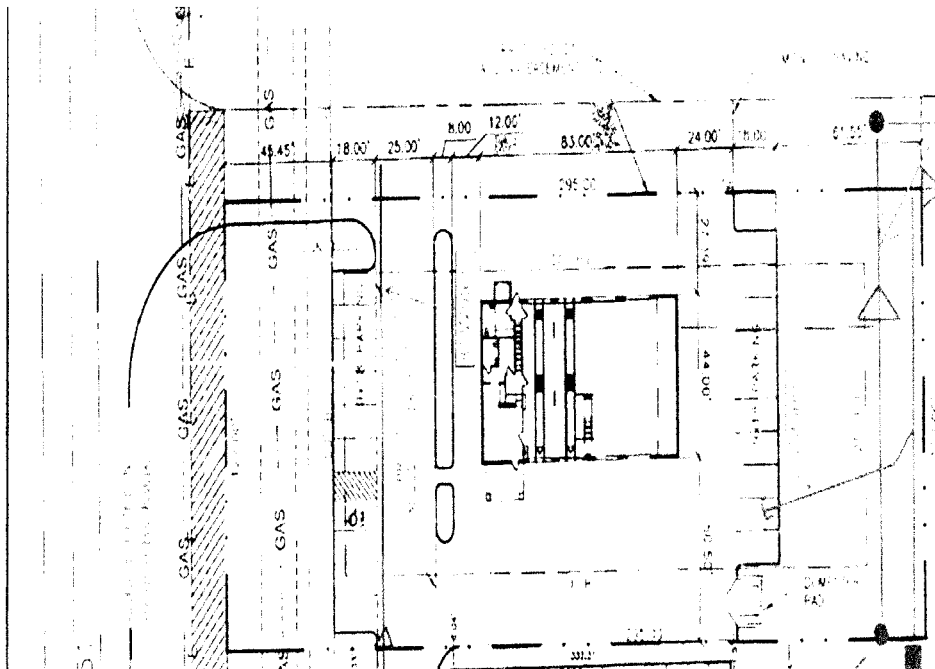
3) Public Hearing/Discuss and Consider the approval of **Ordinance # 2013-03-00752** concerning a request by Kwik Industries for a Specific Use Permit (SUP) for the operation of a Kwik Lube Minor Automotive Repair Center. The property to be

considered is located along Angel Parkway, Lucas, Collin County, Texas, and described as follows ABS A0821 William Snider Survey, Tract 32, 6.47 acres. **[Hilbourn] [This is the 2nd Public Hearing, the 1st Public Hearing was held at the Planning & Zoning Commission Meeting, February 14, 2013]**

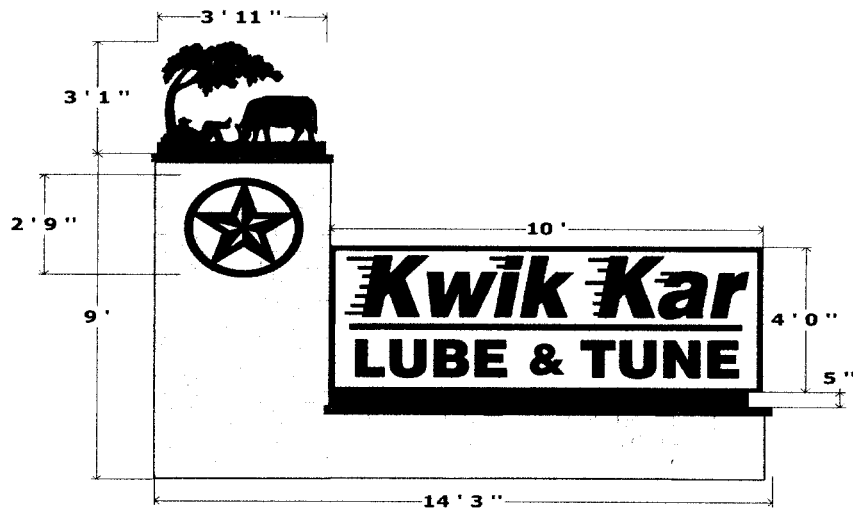
Development Services Director Joe Hilbourn stated that Scott Pendley on behalf of Kwik Lube Industries has submitted an application for a Specific Use Permit (SUP) for minor automotive use on the Sterling property, just to the north of Walmart.

This item went before the Planning & Zoning Commission on February 14, 2013 and recommend approval with the recommendations of Staff.

Minor automotive is permitted in the Commercial Business (CB) district with a SUP. The proposed building size is 3,653 square feet. The proposed lot size is 35,991 square feet; the minimum permitted in the CB district is 30,000 square feet. Paved area will be approximately 18,124 square feet; landscaped area is approximately 14,215 square feet, minimum required is 8,998 square feet; and the impervious coverage is 40%, maximum allowed is 75% of the total lot area.



The following pictures represent the type building being considered. The one on the left is what the applicant proposed, while the one on the right is what is being recommended by the Planning & Zoning Commission. The applicant was more than willing to provide the Austin stone on the outside of the building.



Staff recommends the following:

- The hours of operation, Monday thru Friday, 7 AM to 8 PM, Saturday 8 AM to 8 PM and Sunday 10 AM to 6 PM.
- Incorporate Austin stone into the exterior elevations on the North, South, and West side of the building, a minimum of 50%.
- Monument sign similar in design and nature to the Walmart signs.
- Carry through landscape and sidewalk similar to the existing Walmart.
- Approve with the above recommendations.

The Public Hearing was opened at 7:07 p.m.

Scott Pendley, 4725 Nall Road, Dallas, Texas, the applicant came forward to speak. Mr. Pendley reviewed the use of the building. There will be 6 – 10 employees on any shift, no outside storage, the approach to the site was relocated 15 feet to the south so as to not interfere with any drainage.

The Public Hearing was closed at 7:10 p.m.

MOTION: Councilmember Jim Olk made a Motion to approve **Ordinance # 2013-03-00752** concerning a request by Kwik Industries for a Specific Use Permit (SUP) for the operation of a Kwik Lube Minor Automotive Repair Center. The property to be considered is located along Angel Parkway, Lucas, Collin County, Texas, and described as follows ABS A0821 William Snider Survey, Tract 32, 6.47 acres. Councilmember Debbie Fisher seconded the Motion. Motion carried. Vote: 6-0.

Regular Agenda

- 4) Discuss and Consider the acceptance and approval of the City of Lucas' Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2011-2012 presented by Conway Company CPA. **[Exum]**

Neal Conway came forward to review the audit report with the Council.

The final audit can be viewed on the website.

MOTION: Councilmember Debbie Fisher made a Motion to accept and approve the City of Lucas' Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2011-2012 as presented by Conway Company CPA. Councilmember Wayne Millsap seconded the Motion. Motion carried. Vote: 6-0.

- 5) Discussion only, Financial Update for General Fund Reserves and 2011 Certificate of Obligation. **[Exum]**

The following slides represent a review of the city's financial situation as given to Council by Finance Manager Liz Exum.

General Fund Unreserved Fund Balance As of 9-30-12

FY 12 Unreserved Fund Bal \$3,822,755

FY 13 General Fund Budgeted Operating Costs
\$2,506,154

FY 13 General Fund Budgeted Operating Monthly
Costs \$208,846

Months Reserved 18.3



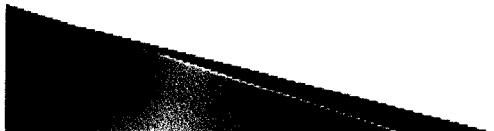
General Fund Estimated Unreserved Fund Balance As of 12-31-12

Unreserved Fund Bal \$4,018,230

FY 13 General Fund Budgeted Operating
Costs \$2,506,154

FY 13 General Fund Budgeted Operating
Monthly Costs \$208,846

Months Reserved 19.24



Discussion Points with Bond Counsel - Mark McLiney Southwest Securities

The City has managed its operations extremely well over the past many years.

The City has a current bond rating of "AA-" from Standard and Poor's.


This rating is due in part to the City's history of extremely strong fund balances.

The City would need to maintain a fund balance equal to one year's (12 months) expenditures to keep the excellent bond rating and maintain the ability to borrow money at the best interest rates.



Excess Fund Balance Over the 12 Month Recommendation

Unreserved Fund Bal Estimate	\$4,018,230
FY 13 General Fund Budgeted Operating Costs	\$2,506,154
FY 13 General Fund Budgeted Operating Monthly Costs (budgeted for FY 12-13)	\$208,846
Monthly Costs (including paid EMS Staff)	\$245,102
12 Month Requirement:	
Budgeted for FY12-13	\$2,506,154
Including Paid EMS Staff	\$2,941,224
Excess Fund Balance based on:	
FY 12-13 Budget	\$1,512,076
FY 12-13 Budget plus paid EMS Staff	\$1,077,006



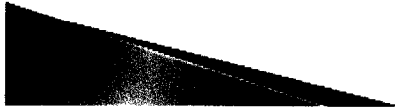
General Fund 2011 CO Funding

Balance as of September 30, 2012 \$3,285,028

Budgeted Items for FY 12-13:

Stinson Rd Bridge	(\$607,567)
Design Fire Dept Expansion Project	(\$205,000)
Capital Roadway Improvements	<u>(\$465,940)</u>

Remaining Balance 2011 CO \$2,006,521



Discussion only, no action necessary.

- 6) Discuss and Consider an update of the Capital Roadway Improvements and authorize Staff to utilize the existing Interlocal Agreement with Dallas County for pavement maintenance for the various roads. **[Caudell]**

The following roads have been selected by staff for pavement maintenance, after rating the roads in the City. It is recommended that these roads have asphalt leveling (or milling, as noted), then a 2" asphalt surface course.

<u>Road</u>	<u>Length (Mi.)</u>	<u>Est. Cost (\$)</u>	<u>Comment</u>
Forest Grove (CC Rd to CR 321)	1.05	145,153.07	Leveling/overlay
East Winningkoff (Orr to Welborn)	0.50	45,599.64	Leveling/overlay
East W'koff(1,360' east of W'born)	0.35	56,137.02	Milling/overlay
Creekview	0.16	19,266.72	Leveling/overlay
Creek Bend	0.23	28,195.20	Leveling/overlay
Honeysuckle Ln	0.69	85,760.40	Leveling/overlay
Cimarron Tr	0.26	41,953.93	Milling/overlay
Santa Fe Tr	0.18	28,672.47	Milling/overlay
Chisholm Tr	0.28	45,271.42	Milling/overlay
Indian Tr	0.12	18,714.26	Milling/overlay
Total	3.82 Mi.	\$514,724.13	

APAC has the asphalt contract with Dallas County that the City can utilize, through the existing Interlocal Agreement, for this asphalt maintenance contract. Please see the attached estimates by APAC for the milling/cement stabilization base work and the asphalt leveling/overlay work.

A 5% contingency in the amount of \$25,736 is requested for the \$514,724 APAC estimate, for possible tonnage quantity overruns due to the varying depth requirement for the asphalt. With that contingency, the Total Project Estimate is \$540,460.

MOTION: Mayor Pro Tem Kathleen Peele made a Motion to approve the Capital Roadway Improvements as presented and authorize Staff to utilize the existing Interlocal Agreement with Dallas County for pavement maintenance for the various roads, not to exceed an amount of \$540,460. Councilmember Wayne Millsap seconded the Motion. Motion carried. Vote: 6-0.

7) Discuss and Consider the update of the Stinson Road Bridge. **[Caudell]**

Background: Muddy Creek currently flows under Stinson Road through two, 7-foot diameter metal pipe culverts. During the heaviest rain event, once every year or so, the creek overtops Stinson Road. When this happens, City staff barricades the road for a few hours, until the water recedes from the road surface. During this time, local traffic and emergency responders have to be diverted, resulting in inconveniences and increased response times. Also, residents immediately upstream have voiced concerns about the floodwaters backing up on their property, as a result of the obstructing effect the road has on the creek.

Stinson Road is shown on the City's Thoroughfare Master Plan as a Minor Collector, which calls for a wider, 2 lane roadway. The bridge, and approaches, would be designed to accommodate a future widening of Stinson Road. BW2 Engineers, Inc. has been contracted to develop a preliminary design and present it to Council, before the City authorizes the final design.

Replacing the inadequate pipe culverts with a bridge was identified as a potential project in the presentation to Council, for funding with C.O. Bonds.

The engineer's estimate for the entire project, including bridge and roadway approaches is \$1,300,000.

Current Status: Since the bridge design contract was awarded to BW2, the City decided to go ahead with the 12" water line design and construction project for Stinson Road, due to the demand from residential development along Stinson Road. Rather than build a section of 12" water line, just at the bridge, with the bridge project, it is now planned to build the entire Stinson Road 12" water line.

The water line design is complete and the easement acquisition is nearing completion. Construction is scheduled to begin immediately after easement acquisition is complete.

Now that the 12" water line project is ready to go to construction, the preliminary bridge design work can be completed. For the preliminary bridge design, the hydraulic analysis has been completed and the geotechnical work for the foundations is complete. The conceptual drawings of the bridge are being completed for the City to review.

Staff Recommendation: Staff's recommended option for bridge final design and construction timing is to incorporate the bridge construction into the road widening project, when the road is ready to be widened. In the interim, a supplemental pipe would be added to provide additional flood protection, until the bridge is built.

The work done by this preliminary design will be utilized during final design, so that effort will not be wasted.

There was some discussion in the timing of the roadway needing to be widened. It was recommended that the city should consider within the next five (5) years widening Stinson Road to include 24' roadway with 4' shoulder on each side.

Ilene Mogul, 651 Stinson Road, came forward to express her desire to keep Stinson Road as it is today. Ms. Mogul stated that she was the spokesman for the Stinson Road residents, and was surprised that not more of them were present at tonight's meeting. Ms. Mogul did not feel that the bridge needed to be replaced as it was her opinion that there never appeared to be a problem with the water.

There is no action necessary on this item; it was presented to Council as a status update for the Stinson Road bridge project.

- 8) Discuss and Consider the approval of a contract between the City of Lucas and BW2 Engineers, Inc. concerning design services for an 8" waterline project along Osage Lane, from Southview Drive, east to the end of Osage. **[Caudell]**

The residences along the south side of Osage Lane were recently annexed into the City. The existing water system that serves these residences is a substandard line with high maintenance. The residents have purchased water from Seis Lagos.

As part of the annexation process, the City is obligated to provide standard water service, which the current system would not meet. The new line will also provide fire hydrants to enhance fire protection.

This project is approximately 2,600' in length and construction is estimated to cost \$210,000 (not including the \$29,800 for the BW2 contract).

After bidding, a contractor will be selected, and the construction contract will be brought to Council for approval. The funds for the project will come from reserves or the budget, depending on water sales.

MOTION: Councilmember Wayne Millsap made a Motion to approve the contract between the City of Lucas and BW2 Engineers, Inc. concerning design services for an 8" waterline project along Osage Lane, from Southview Drive, east to the end of Osage, for an amount not to exceed \$29,800. Councilmember Steve Duke seconded the Motion. Motion carried. Vote: 6-0.

- 9) Discuss and Consider the approval of the minutes from the February 21, 2013 City Council meeting. **[Wingo]**

MOTION: Councilmember Jim Olk made a Motion to approve the minutes from the February 21, 2013, City Council meeting as presented. Councilmember Debbie Fisher seconded the Motion. Motion carried. Vote: 6-0.

- 10) Discuss and Consider the approval of moving forward with the design phase of the Fire Department Expansion Project. **[Kitchens]**

At the present time the estimated cost is approximately \$2,780,000. However, until the City moves into the next phase, that being the design phase, there could not be a more exact estimate of the cost.

Councilmember Jim Olk would like to know an amount not to exceed and to know what will this part of the contract entail. Councilmember Jim Olk went on to ask for a copy of the contract so that it could be reviewed by Council.

The City Council recessed for five (5) minutes to allow time for the City Manager to provide copies of the contract.

The City Council convened back into the Regular Meeting at 8:24 p.m.

The City Council was provided a copy of the contract for review.

On June 21, 2012, the City Council authorized an amount not to exceed \$210,000 for architect services. The Council continued to review the contract amounts as well as the various phases of the project. What Council is asked to approve tonight is to move into the schematic design phase of the project.

Councilmember Wayne Millsap stated that since the City Council has not been provided enough information prior to tonight's meeting, it is suggested that this item be brought back to the next meeting. Mayor Pro Tem Kathleen Peele suggested that the Fire Department Advisory Committee might need to take a look at this as well to make recommendations to the City Council. Councilmember Wayne Millsap did not feel that was necessary but thought Council needed more time to prepare.

After further review of the cost estimates within the contract, Councilmember Jim Olk stated that the City might not get a clearer picture of the exact costs until the schematic design phase is complete. Using the costs estimated in the contract it appears that this phase would cost approximately \$23,000.

MOTION: Councilmember Wayne Millsap made the Motion to move forward with the schematic design phase of the Fire Department Expansion Project, using part of the \$210,000 funds approved back on June 21, 2012 by the City Council. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 6-0.

11)Adjournment.

MOTION: Councilmember Wayne Millsap made a Motion to adjourn the meeting at 8:35 p.m. Councilmember Debbie Fisher seconded the Motion. Motion carried. Vote: 6-0.

These minutes were approved by a majority vote of the City Council on March 21, 2013.



Handwritten signature of Rebecca Mark in black ink.

Rebecca Mark, Mayor

ATTEST:

Handwritten signature of Kathy Wingo in black ink.

Kathy Wingo, TRMC, MMC, City Secretary