



**City Council Regular Meeting
September 5, 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/Absent:

Mayor Rebecca Mark
Councilmember Wayne Millsap
Councilmember Steve Duke
Councilmember Debbie Fisher
City Manager Jeff Jenkins
City Attorney Joe Gorfida
Fire Chief Jim Kitchens

Mayor Pro Tem Kathleen Peele
Councilmember Jim Olk
Councilmember Philip Lawrence
City Secretary Kathy Wingo
Development Services Director Joe Hilbourn
Finance Manager Liz Exum
Public Works Director Stanton Foerster

It was determined that a Quorum was present.

Everyone was reminded to turn off or silence cell phones.

Mayor Pro Tem Kathleen Peele 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 Jim Olk wished the Mayor a Happy Birthday tomorrow.

Mayor Pro Tem Kathleen Peele said there is a need of rescue horses for the upcoming Founder's Day Stick Horse Rodeo. Also if anyone would like to help with the grooming of the current horses, contact City Hall.

Regular Agenda

- 3) Discuss and Consider the approval of Exhibit A and Exhibit B for options of lease/purchase agreement between the City of Lucas and American National Bank for Fire Department equipment and authorize City Attorney to draft said agreement.
[Jenkins]

City Manager Jeff Jenkins reviewed the options for lease/purchase of Fire Department equipment.

Comparison of the Lease Purchase Agreements Terms for \$375,000

	Interest rate	Term	Payments	Attorney Fees or down payment	Tide Collateral
American National Bank	2.29%	6 years	\$ 67,027	up to \$5,000	no
Government Capital	2.86%	6 years	\$ 68,172	included	no
Intergrated Vehides & Equipment	3.87%	6 years	\$ 62,920	\$36,800	yes



Exhibit A



New Ambulance	\$ 250,000.00
Used Ambulance	\$ 50,000.00
Life Pac 15	\$ 48,000.00
Stretcher	\$ 18,000.00
Contingency	\$ 9,000.00
Total	\$ 375,000.00



EXHIBIT B
LEASE PAYMENT SCHEDULE: OPTION #1
Client: City of Lucas

Net Proceeds	\$375,000.00	Closing Costs	\$5,000
Interest Rate	2.29%		
Accrual Basis	360/30		
Payment Freq	Annual	Total Costs	\$32,167.43
Original Term	6		
Close Date	5-Aug-13		

PERIOD NO.	PMT DATE MO. DAY YR	TOTAL PAYMENT	INTEREST PAID	PRINCIPAL PAID	REMAINING BALANCE / Purchase Option Price
1	3/14/2014	\$87,027.90	\$5,319.48	\$81,708.42	\$313,281.58
2	3/14/2015	\$87,027.90	\$7,174.38	\$59,853.52	\$253,428.06
3	3/14/2016	\$87,027.90	\$5,803.73	\$61,224.17	\$192,213.89
4	3/14/2017	\$87,327.90	\$4,401.70	\$82,926.20	\$129,587.69
5	3/14/2018	\$87,327.90	\$2,967.58	\$84,360.34	\$65,527.35
6	3/14/2019	\$87,327.93	\$1,500.58	\$85,827.35	\$0.00
Grand Totals		\$402,167.43	\$27,157.43	\$375,000.00	

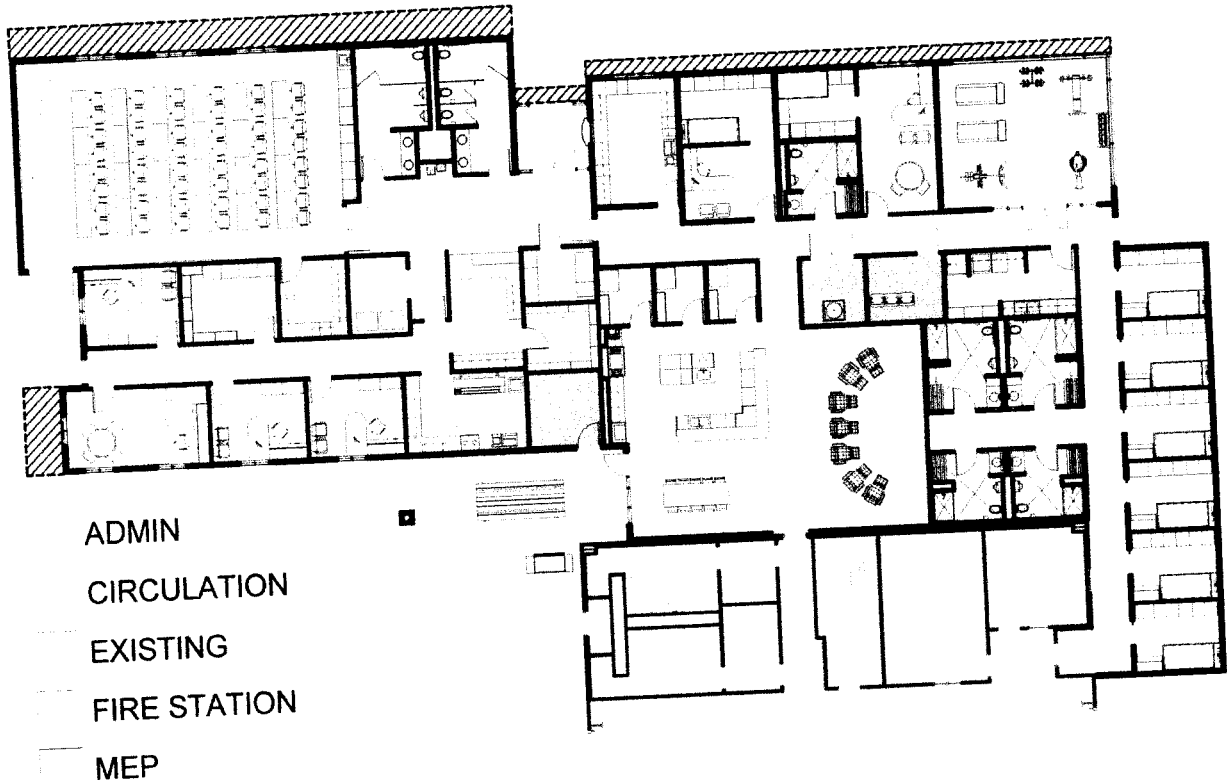
LEASE PAYMENT SCHEDULE: OPTION #2
Client: City of Lucas

Net Proceeds	\$375,000.00	Closing Costs	\$5,000
Interest Rate	2.69%		
Accrual Basis	360/30		
Payment Freq	Annual	Total Costs	\$47,593.66
Original Term	8		
Close Date	5-Aug-13		

PERIOD NO.	PMT DATE MO. DAY YR	TOTAL PAYMENT	INTEREST PAID	PRINCIPAL PAID	REMAINING BALANCE / Purchase Option Price
1	3/14/2014	\$62,199.19	\$6,248.65	\$45,950.54	\$328,348.46
2	3/14/2015	\$62,199.19	\$8,851.43	\$43,347.76	\$285,701.70
3	3/14/2016	\$62,199.19	\$7,685.38	\$44,513.81	\$241,187.89
4	3/14/2017	\$62,199.19	\$6,487.95	\$45,711.24	\$195,476.65
5	3/14/2018	\$62,199.19	\$5,258.32	\$46,940.87	\$148,535.78
6	3/14/2019	\$62,199.19	\$3,926.81	\$48,203.58	\$100,332.20
7	3/14/2020	\$62,199.19	\$2,598.94	\$49,500.25	\$50,831.95
8	3/14/2021	\$62,199.33	\$1,367.38	\$50,831.95	\$0.00
Grand Totals		\$417,593.66	\$42,593.66	\$375,000.00	

MOTION: Councilmember Wayne Millsap made a Motion to approve financing the Fire Department equipment in the amount of \$375,000 using American National Bank at an interest rate of 2.29% and Exhibit B option # 1 and authorize the City Attorney to draft an agreement. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 7-0.

- 4) Discuss and Consider the schematic design of the Lucas Fire Station Expansion Project and authorize Staff to move forward into the design phase of the project.
[Jenkins]



At the July 2, 2013, City Council Regular meeting the schematic design for the Fire Station was presented to Council. The estimated total project budget was approximately \$3.66M with \$3.03M for construction, \$380K for design fees, and \$247K for owner costs.

After discussion, Council voted to set the total project budget at \$2.8M. This required minimum cost reductions of \$860K. Various cost cutting options were compiled and discussed resulting in a potential savings of \$967K. Current estimated total project budget is \$2.686M. This leaves approximately \$114K as a contingency.

Some of the cost cutting options are included on the next page.

Item Number	Highlighted Revisions	Amount of Savings
1	Reduce facility size by 500 s.f	\$ (87,500.00)
2	Delete sloped roofs, provide all low slope roof	\$ (120,000.00)
3	Delete reskinning existing facility with stone	\$ (70,700.00)
4	Delete masonry wall/gates for dumpster/generator/patio	\$ (34,000.00)
5	Provide stucco exterior on new facility vs. stone	\$ (31,000.00)
6	Use light gauge steel stud structure for new facility in lieu of steel frame	\$ (112,000.00)
7	Delete most window/door canopies	\$ (12,000.00)
8	Provide plastic laminate millwork vs. wood finish	\$ (18,000.00)
9	Delete New LED Monument Sign - keep existing wooden sign	\$ (35,000.00)
10	Utilize existing concrete approach drives vs. replace with new	\$ (39,050.00)
11	Delete southern concrete drive, maintain existing gravel drive	\$ (46,000.00)
12	Delete southern concrete drive, maintain existing gravel drive	\$ (107,153.00)
	Miscellaneous Estimate Modifications/Revisions	\$ (107,153.00)
	Sub total Estimated Construction Savings	\$ (712,403.00)

Reduce GC Overhead & General Conditions - 8% \$ (56,992.24)

Reduce GC's Fee - 4% \$ (30,775.81)

Reduce Design Contingency - 5% \$ (40,008.55)

TOTAL OF ESTIMATED CONSTRUCTION SAVINGS	\$ (840,179.60)
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A/E Fee Reduction \$ (79,817.06)

Owner's Cost Reduction \$ (47,117.00)

TOTAL OF ESTIMATED SAVINGS	\$ (967,113.66)
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Previously Estimated Total Project Budget \$ 3,653,272.04

CURRENT ESTIMATED TOTAL PROJECT BUDGET	\$ 2,686,158.37
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Approved Budget \$ 2,800,000.00

BUDGET SURPLUS/DEFICIT	\$ 113,841.63
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Estimated Project Timeline:

Design Development is the next phase – completion 11/21/2013

Construction Documents 11/22/2013-1/30/2014

Permitting, Bids, and Award 2/3/2014-4/3/2014

Construction Phase estimated 4/4/2014-3/22/2015

Need to keep this timeline moving forward to obtain the best prices and to meet the upcoming needs of the department.

Pricing is anticipated to increase significantly past the first quarter of 2014.

Estimated Project Costs:

Construction Cost	\$2,187,473
Design Service Fees	\$ 299,409
Owner Costs	\$ 199,275
TOTAL PROJECT COST	\$2,686,157

Councilmember Jim Olk stated that Council should take time to go out and speak with some of the builders that work in the City of Lucas. This is an office building and the cost per square foot is over what it should be at this time.

Councilmember Philip Lawrence agrees with Councilmember Olk. Councilmember Lawrence said this is a major project for the City and it is incumbent upon Council to make sure that the best value is gotten for the amount of money being talked about.

Mayor Pro Tem Kathleen Peele said that anytime there is a group working on a project of this magnitude not everyone will be agreeable to the overall look. Mayor Pro Tem Peele says that Council needs to move this on.

Councilmember Wayne Millsap agreed with Councilmember Olk. The City needs to aggressively go out and look at alternate ways of construction.

Councilmember Jim Olk said there are homes being built in Lucas that are the same size as this building that do not cost \$2.6M. All that Councilmember Olk is asking is that Council do some due diligence before spending the taxpayer's money. Another 30 days is not going to make a huge difference in the timeline.

Mayor Rebecca Mark stated that Mr. Edney did exactly what Council had asked of him by reducing the overall costs. To keep delaying the project by asking for other designs and related costs, is not realistic. The City will be paying the same or more in the next year. Council needs to figure out what is wanted and place it out to bid, keep moving, there is no value in stopping now to look at other contractors.

Councilmember Jim Olk thinks that even delaying for 30 days the City could be missing a potential savings.

City Attorney Joe Gorfida stated that the City is in a contract with the architect and there are things Council can or cannot do. He would have to review the contract and advise the Council at a later time should they wish to consider other avenues.

Councilmember Wayne Millsap is concerned that this process needs to move along. Councilmember Millsap does not like some of the options that were cut from the design, even though the cuts proved to be a cost savings.

Councilmember Steve Duke said that if the City were to put this project out to bid with the words "office building" the cost could come in \$1M cheaper. Councilmember Duke suggests that this be tabled for 30 days to allow time to go out and check other construction avenues.

As authorized by Section 551.071 (2) of the Texas Government Code, the City Council may convene into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney regarding any item on the agenda at any time during the meeting.

MOTION: Councilmember Debbie Fisher made Motion to convene into Executive Session 7:59 p.m. Mayor Pro Tem Kathleen Peele seconded the Motion. Motion carried. Vote: 7-0.

City Council reconvened into Regular Session at 8:16 p.m.

MOTION: Councilmember Wayne Millsap made a Motion to table this item, direct Staff and two (2) Councilmembers to meet with the architect and determine what is needed, research other construction avenues and bring it back to Council. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 7-0.

Public Hearings

- 5) Public Hearing/Discuss and Consider adopting the Tax Rate and levying the Ad Valorem Taxes for the Fiscal Year 2013 – 2014 to provide revenue for the payment of current expenditures. (Proposed Tax Rate is 0.355616; Current Tax Rate is 0.374177) **[2nd Public Hearing, 1st Public Hearing was held at the August 15, 2013 City Council Meeting] [Exum]**

The Public Hearing was opened at 8:20 p.m.

There was no one who wished to speak FOR or AGAINST this item.

The Public Hearing was closed at 8:20 p.m.

No action to be taken.

- 6) Public Hearing/Discuss and Consider the proposed Operating Budget for the Fiscal Year beginning October 1, 2013 and ending September 30, 2014. **[Copy of proposed budget available at City Hall upon request and currently posted on**

the City's website. **2nd Public Hearing, 1st Public Hearing was held at the August 15, 2013 City Council Meeting] [Exum]**

The Public Hearing was opened at 8:21 p.m.

There was no one who wished to speak FOR or AGAINST this item.

The Public Hearing was closed at 8:21 p.m.

No action to be taken.

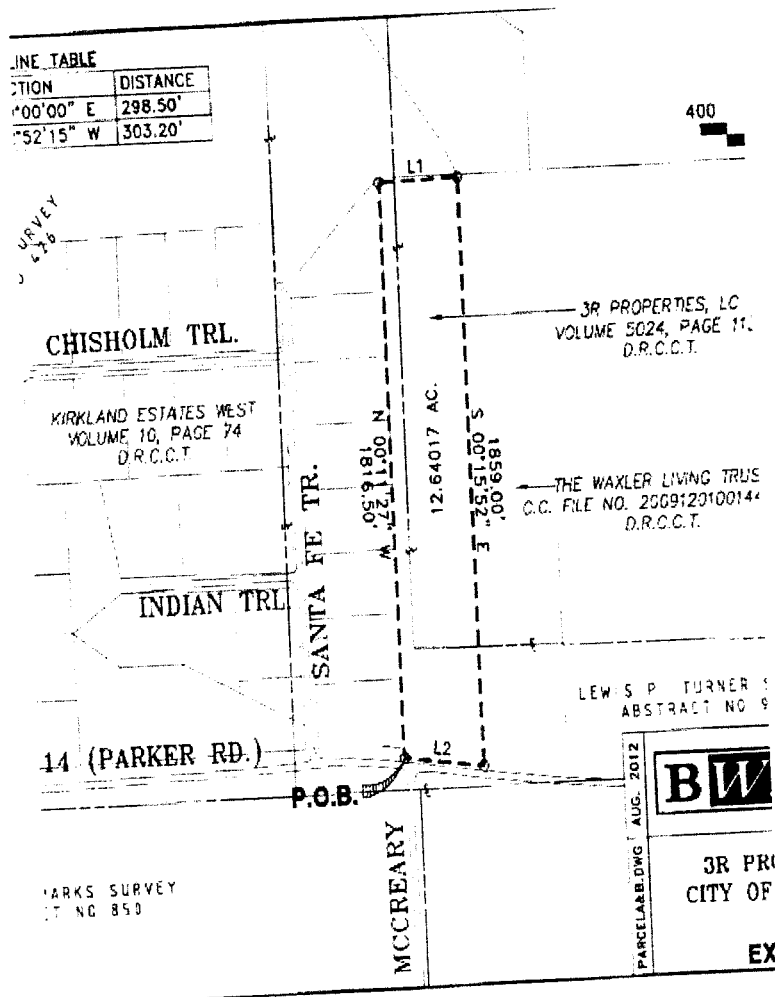
- 7) Public Hearing/Discuss and Consider the unilateral annexation of a property in Collin County, Texas, BEING A TRACT OF PARCEL OF LAND OUT OF THE L.P. TURNER SURVEY, ABSTRACT NO. 901 AND THE J. GRAY SURVEY, ABSTRACT 349, SITUATED IN COLLIN COUTY, TEXAS, AN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; Beginning at a point in the north line of Parker Road, said point being the southeast corner of Kirkland Estates West, an addition to the City of Lucas, Texas, according to the plat recorded in volume 10, page 74 of the Map Records, Collin County, Texas, in iron rod for corner; THENCE North 00°11'27" West along the east line of said Kirkland Estates West, a distance of 1,816.50 feet to a corner of said Addition, an iron rod for corner; THENCE North 89°00'00" east, a distance of 298.50 feet to an iron rod for corner; THENCE South 0°15'52" East, a distance of 1,859.00 feet to a point in the North line of Parker Road, an iron rod for corner; THENCE North 82°52'15" West, along said line of Parker Road, a distance of 303.20 feet to the POINT OF BEGINNING and containing 550,606 square feet or 12.64017 acres of land. More commonly known as the 3R property. **[2nd Public Hearing, 1st Public Hearing was held at the August 15, 2013 City Council Meeting] [Hilbourn]**

The Public Hearing was opened at 8:23 p.m.

There was no one who wished to speak FOR or AGAINST this item.

The Public Hearing was closed at 8:23 p.m.

No action to be taken.



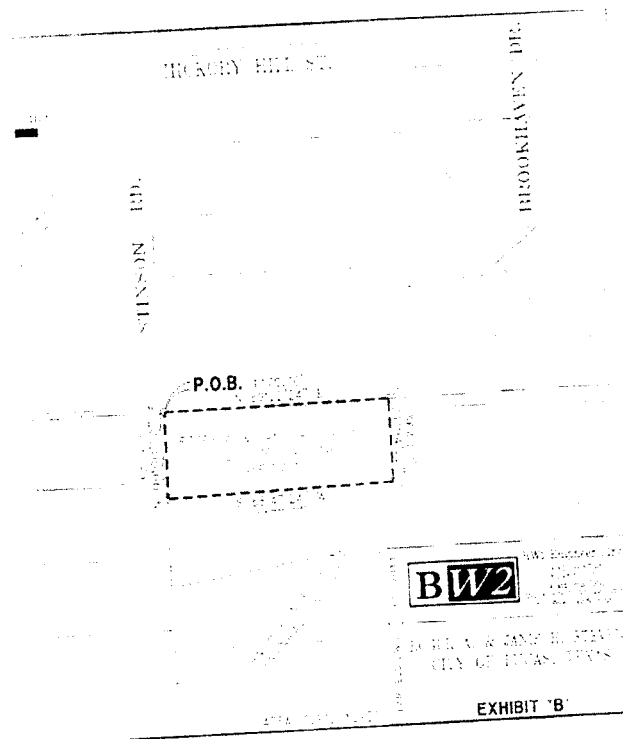
- 8) Public Hearing/Discuss and Consider the unilateral annexation of a property in Collin County, Texas, BEING A 9.973 ACRE TRACT OF LAND SITUATED IN COLLIN COUNTY, TEXAS IN THE JOHN MCKINNEY SURVEY, ABSTRACT NO. 596, BEING PART OF A CALLED 38.38 ACRE TRACT AS DEEDED TO J.C. AND OLLIE TOMBERLINE AND RECORDED IN VOLUME 595, PAGE 205 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, (DRCCT), AND BEING THE SAME TRACT OF LAND AS DEEDED TO ROGER A. STEVENS AND JANIS H. STEVENS AND RECORDED IN VOLUME 5476, PAGE 4796 DRCCT: BEGINNING at a point for corner in the center of a public road, said corner also being the Northwest corner of said John McKinney Survey; THENCE North 89°22'24" East, with North line of said McKinney Survey, for a distance of 1170.76 feet to a point for corner; THENCE South 1°04'22" East, for a distance of 364.00 feet to a point for corner at a fence corner; THENCE South 88°47'24" West, partially with a fence line, for a distance of 1177.77 feet to a point for corner in the center of said public road; THENCE North, 376.00 feet to the POINT OF BEGINNING and containing 434,444.9 square feet or 9.973 acres of land, more or less or more commonly known

as the Stevens property. **[2nd Public Hearing, 1st Public Hearing was held at the August 15, 2013 City Council Meeting] [Hilbourn]**

The Public Hearing was opened at 8:24 p.m.

There was no one who wished to speak FOR or AGAINST this item.

The Public Hearing was closed at 8:24 p.m.



- 9) Public Hearing/Discuss and Consider the petition filed by D.R. Horton Homes requesting annexation of a parcel of land located on Stinson Road further described as Stinson Highlands Phase II generally located at the intersection of Highland Drive and Inverness Lane, consisting of 43 lots, and 66.1034 acres out of the John Grey Survey, ABS No. 349, Lewis P Turner Survey, ABS No. 901; George Gunnel Survey, ABS No. 352, Collin County, Texas. **[2nd Public Hearing, 1st Public Hearing was held at the August 15, 2013 City Council Meeting] [Hilbourn]**

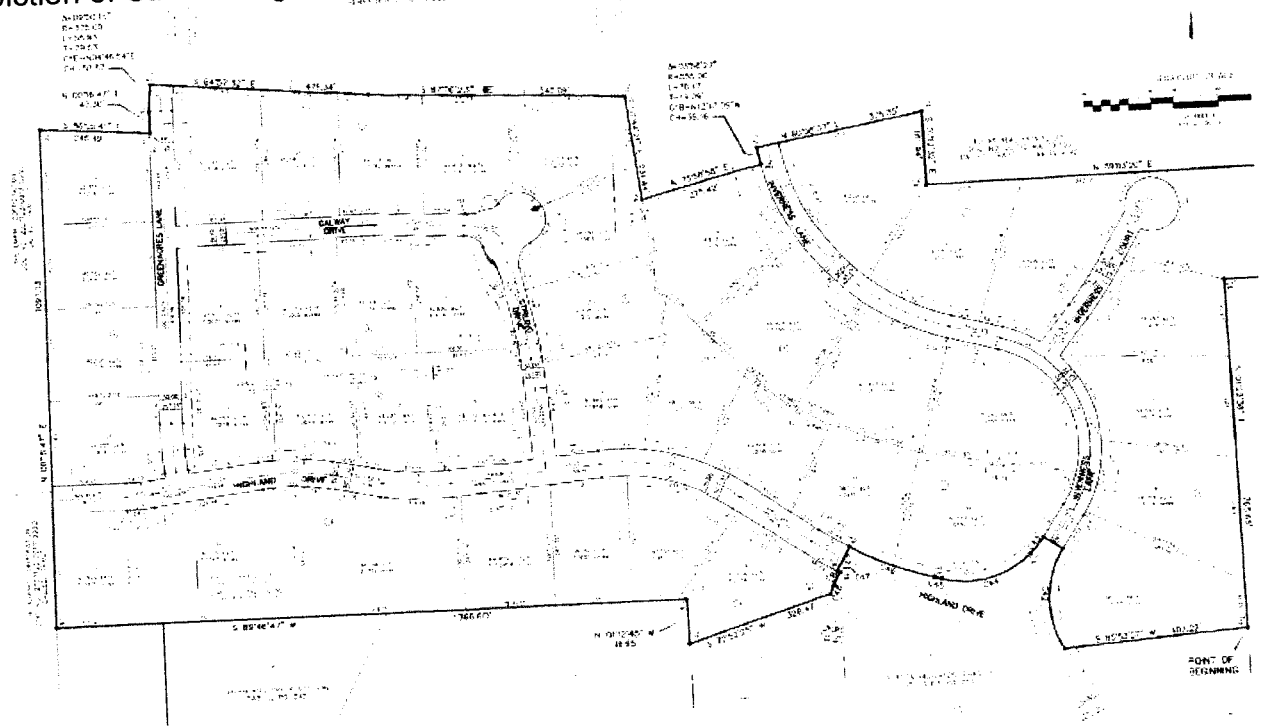
The Public Hearing was opened at 8:26 p.m.

There was no one who wished to speak FOR or AGAINST this item.

The Public Hearing was closed at 8:26 p.m.

No action required.

Depiction of Stinson Highlands Phase II:

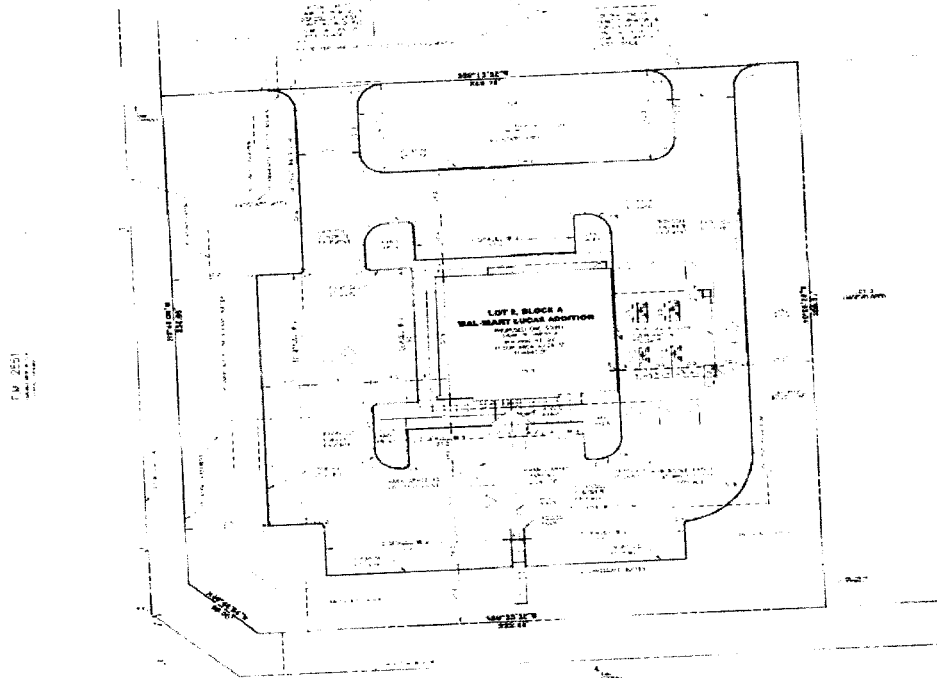


- 10) Public Hearing/Discuss and Consider an application request by Bank of America for site plan approval. The property to be considered is known as Lot 2, Block A of the Wal-Mart Lucas Addition, located at the northeast corner of W. Lucas Road and Angel Parkway intersection. **[2nd Public Hearing, 1st Public Hearing was held at the August 8, 2013 Planning & Zoning Commission Meeting] [Hilbourn]**

Development Services Director Joe Hilbourn reviewed the facts of the site plan with the City Council.

- Site is currently zoned Commercial Business (CB).
- Minimum lot size CB district 30,000 square feet, provided 63,336 square feet.
- Maximum impervious cover is 75%, provided 62 +/- percent.
- Minimum parking required 14 spaces, 49 parking spaces is provided.
- Building size with canopy is 5,682 square feet.
- Project has access to city sewer and water.
- Projects drainage is part of the Wal-Mart site.
- Site access is part of the Wal-Mart improvements.

- Two monument signs shown, one permitted for every one hundred lineal feet of frontage.



Kelly Gomez, the bank likes to have a minimum of 40 parking spaces, 49 are allowed for this site.

Several Councilmembers would like to see less parking spaces and more greenery.

This site plan does comply with the City's regulations and requirements.

The Public Hearing was opened at 8:32 p.m.

There was no one present who wished to speak FOR or AGAINST this item.

The Public Hearing was closed at 8:32 p.m.

MOTION: Councilmember Wayne Millsap made a Motion to approve application request by Bank of America for site plan approval. The property to be considered is known as Lot 2, Block A of the Wal-Mart Lucas Addition, located at the northeast corner of W. Lucas Road and Angel Parkway intersection. Councilmember Philip Lawrence seconded the Motion. Motion carried. Vote: 7-0.

Regular Agenda

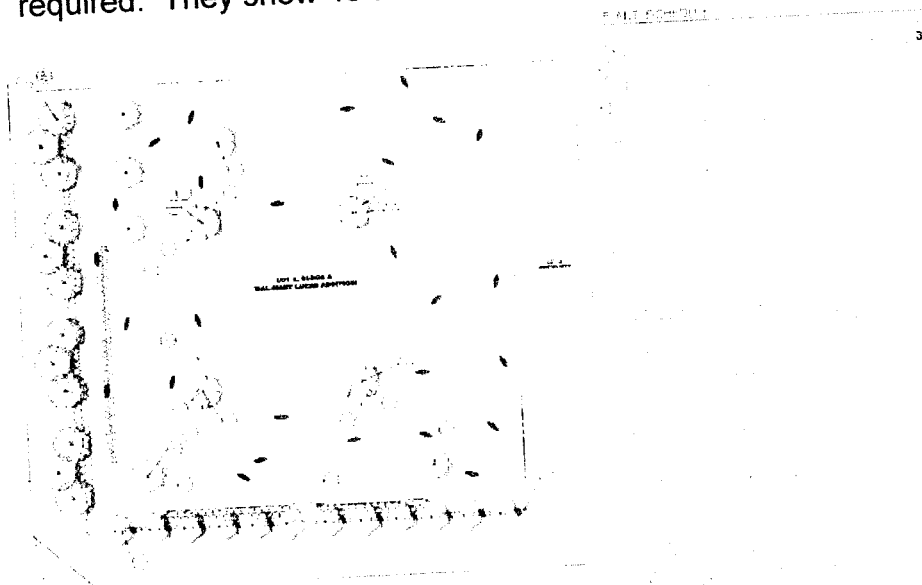
- 11) Discuss and Consider the approval of the minutes from the August 15, 2013 City Council Meeting. **[Wingo]**

On page 9 of 20, Item # 9, place a statement of clarification that after discussing with the attorney it was decided that Council could discuss this item.

MOTION: Councilmember Jim Olk made a Motion to approve the minutes from the August 15, 2013 City Council Meeting with the clarification added. Mayor Pro Tem Kathleen Peele seconded the Motion. Motion carried. Vote: 7-0.

- 12) Discuss and Consider the approval of the landscape plan for Bank of America, Lot 2, Block A of the Wal-Mart Lucas Addition, located at the northeast corner of W. Lucas Road and Angel Parkway intersection. **[Hilbourn]**

- Site is currently zoned Commercial Business (CB)
- Minimum lot size in a CB district is 30,000 square feet, there is 63,336 square feet being provided.
- Maximum impervious cover is 75%, 62 +/- percent being provided.
- Minimum landscape area required 15%, 32% is provided.
- Parking lot area is 24,300 square feet.
- Interior landscape requires 5% of 24,300 square feet or 1,215 square feet; 1,725 square feet or 7% is provided.
- 1 shade tree and 8 bushes required for every 20 lineal feet of parking area; they have 400 lineal feet of parking, therefore 20 trees and 200 bushes are required. They show 40 trees and 248 bushes.

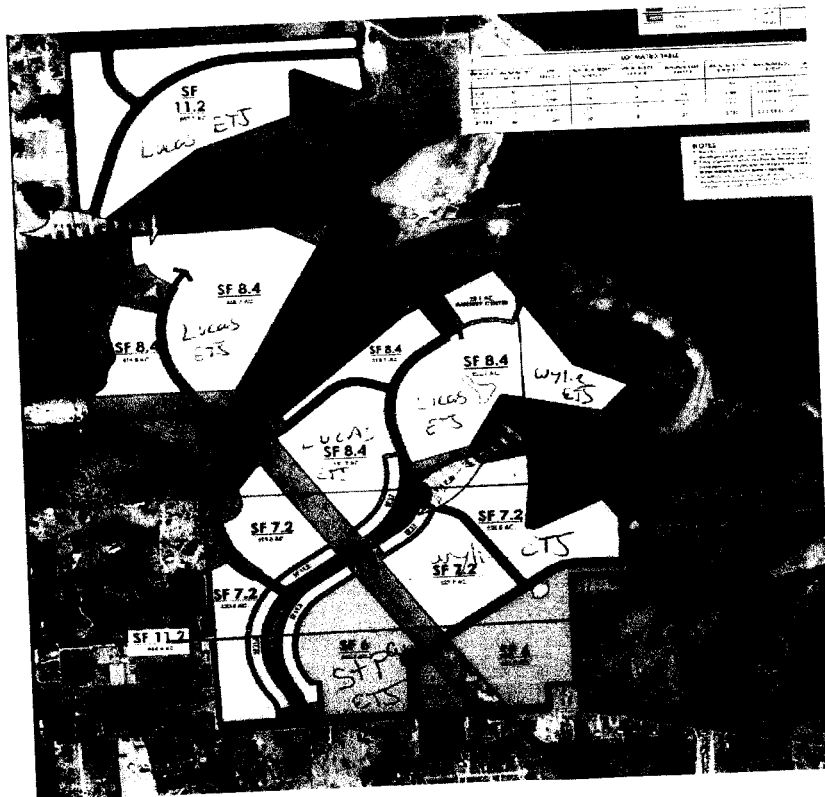


MOTION: Councilmember Jim Olk made a Motion to approve the landscape plan for Bank of America, Lot 2, Block A of the Wal-Mart Lucas Addition, located at the northeast corner of W. Lucas Road and Angel Parkway intersection. Councilmember Debbie Fisher seconded the Motion. Motion carried. Vote: 7-0.

- 13) Discuss and Consider the approval of the preliminary plat of a portion of the first phase for Inspiration Development, formerly known as the Hanover Property and Huffine Development. The parcels are part of the Leroy Farmer Survey ABS 334, Mark Morris Survey ABS 561, and Orpha Shelby Survey ABS 799. **[Hilbourn]**

This is a part of an approved Development Agreement for the site as part of a civil suit agreement. The agreement states that the City will approve any plat that conforms with the City's Subdivision Regulations, in effect as of the date of the agreement, which was September 7, 2009, and is generally the same as the Concept Plan below. This is Phase I of the project with only two small portions of the road in the City's ETJ.

Concept Plan:



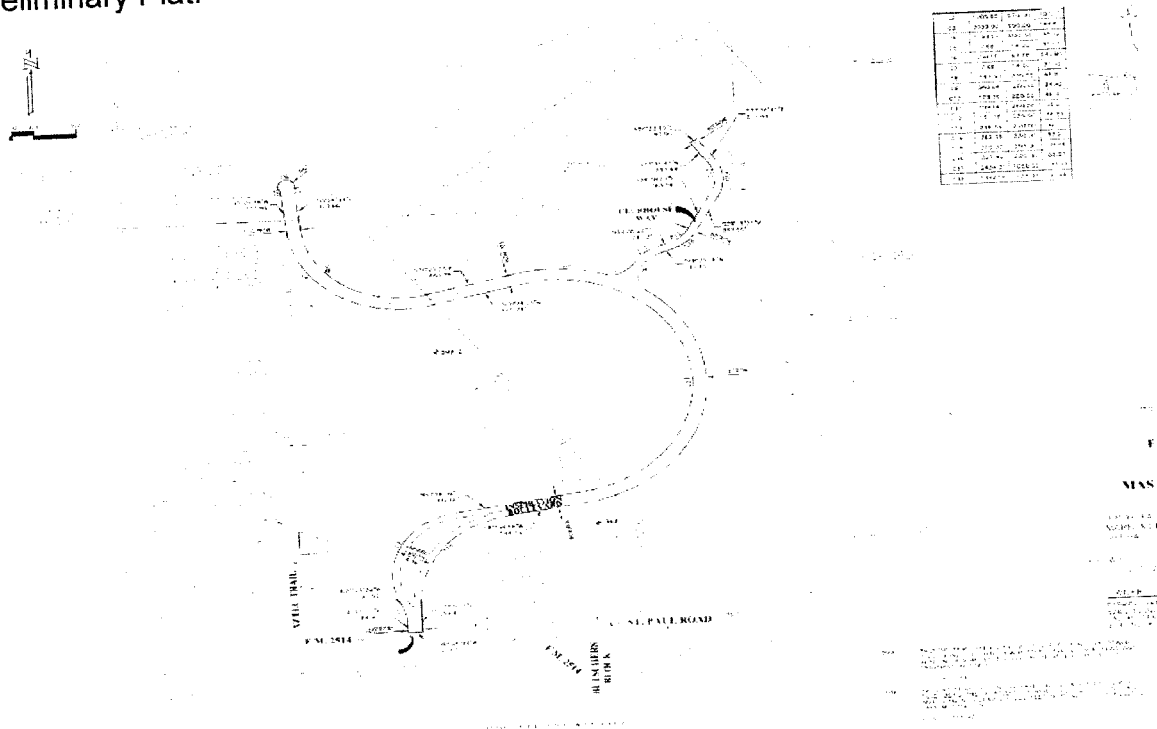
The first phase is predominately located in the Town of St. Paul and the City of Wylie's ETJs.

The City is not approving lots or layout at this time, just the main road layout and corresponding utilities.

There will be a total of 1,406 lots in all three phases of the development. Lot sizes in the City's ETJ will be a minimum of 10,000 square feet.

The plat does conform with the City's Subdivision Regulations in effect on September 17, 2009. The plan conforms to the approved Development Agreement. Staff is recommending approval as presented.

Preliminary Plat:

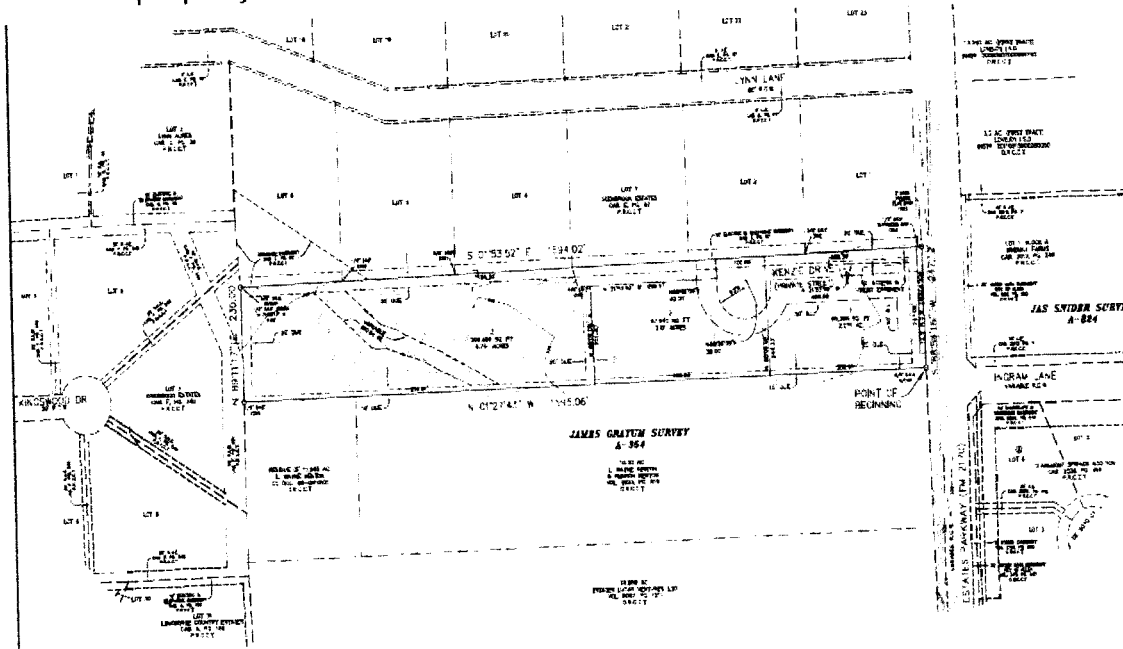


MOTION: Councilmember Jim Olk made a Motion to approve the preliminary plat of a portion of the first phase for Inspiration Development, formerly known as the Hanover Property and Huffine Development. The parcels are part of the Leroy Farmer Survey ABS 334, Mark Morris Survey ABS 561, and Orpha Shelby Survey ABS 799. Councilmember Steve Duke seconded the Motion. Motion carried. Vote: 7-0.

- 14) Discuss and Consider the approval of the preliminary plat for Ella Brooke Estates, Lots 1-3, Block A, being 8.823 acres situated in the James Grayum Survey, Abstract No. 354, City of Lucas, Collin County, Texas. **[Hilbourn]**

Development Services Director Joe Hilbourn reviewed the facts of the project with the City Council.

- Property is currently zoned R-2.
- The subdivision consists of three lots.
- The lots conform to R-2 zoning district.
- The subdivision will have a private road.
- One point of entrance, road has less than 10 lots and is shorter than 600'.
- Subdivision is designed to save trees.
- All lots have more than 1 acre outside of private road.
- Developer is providing easements to allow for looping the water main if the property to the West should ever develop.



MOTION: Councilmember Wayne Millsap made a Motion to approve the preliminary plat for Ella Brooke Estates, Lots 1-3, Block A, being 8.823 acres situated in the James Grayum Survey, Abstract No. 354, City of Lucas, Collin County, Texas. Councilmember Philip Lawrence seconded the Motion. Motion carried. Vote: 7-0.

15) Discuss and Consider the approval of an amendment to the Development Agreement between the City of Lucas and Liberty Bank amending Exhibit "B", the approved site plan. **[Hilbourn]**

Ilene Mogul, 651 Stinson Road, wanted to speak in opposition to this item. There are issues with the platting, Ms. Mogul would like to have more 2 acre lots. There needs to be more than one way out.

The developer has submitted a written request that this item be tabled.

MOTION: Councilmember Jim Olk made a Motion to table this item. Councilmember Steve Duke seconded the Motion. Motion carried. Vote: 7-0.

16) Discuss and Consider Fire Department Staff work schedule plan. **[Kitchens]**

This item is asking that Council only agree to the work schedule, 24 hours on/48 hours off. At the next meeting Staff will bring an item for Council to approve changes to the Personnel Policy Manual.

No motion is required.

DIRECTION was given to the City Manager to proceed.

17) Discuss and Consider the approval of a contract between the City of Lucas and Questcare Medical Services, P.A. for medical supervision of EMS activities and authorize the City Manager to execute said contract. **[Kitchens]**

Change the Notice Provision to have all notices sent to the City of Lucas, City Manager, and Fire Chief.

MOTION: Mayor Pro Tem Kathleen Peele made a Motion to approve the contract between the City of Lucas and Questcare Medical Services, P.A. for medical supervision of EMS activities, upon review and approval by the City Attorney and authorize the City Manager to execute said contract. Councilmember Philip Lawrence seconded the Motion. Motion carried. Vote: 7-0.

Executive Session

The City Council convened into Executive Session at 9:02 p.m.

18) The City Council pursuant to Section 551.074 of the Texas Government Code may convene into Executive Session to conduct the annual review of the City Secretary.

Regular Agenda

The City Council reconvened into Regular Session at 9:36 p.m.

19) Take any action as necessary from the Executive Session.

MOTION: Councilmember Debbie Fisher made a Motion to allow for a 3% pay raise to the City Secretary effective October 1, 2013. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 7-0.

20)Adjournment.

MOTION: Councilmember Steve Duke made a Motion to adjourn the meeting at 9:38 p.m. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 7-0.

These minutes were approved by a majority vote of the City Council on September 19, 2013.



Rebecca Mark
Mayor



ATTEST:



Kathy Wingo, TRMC, MMC
City Secretary