



**City Council Regular Meeting
February 6, 2014, 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 or (Absent):

Mayor Rebecca Mark
Councilmember Wayne Millsap
Councilmember Steve Duke
Councilmember Debbie Fisher (Absent)

Mayor Pro Tem Kathleen Peele
Councilmember Jim Olk
Councilmember Philip Lawrence

Staff Present:

Interim City Manager Dan Savage
City Attorney Whitt Wyatt
Public Works Director Stanton Foerster

City Secretary Kathy Wingo
Development Services Director Joe Hilbourn

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.

There were no Items of Community Interest.

Regular Agenda

3) Discuss and Consider approval of the minutes from the January 16, 2014 Council and January 24, 2014 Special meetings. **[Wingo]**

MOTION: Mayor Pro Tem Kathleen Peele made a Motion to approve the minutes from the January 16, 2014 Council and January 24, 2014 Special meetings as presented. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 6-0.

- 4) Discuss and Consider the approval of **Ordinance # 2014-02-00773** of the City of Lucas, Texas, calling for a General Election to be held on May 10, 2014, for the purpose of electing two (2) City Councilmembers at large, Seats 1 and 2; by the qualified voters of the City of Lucas; providing for the publication and posting of notice of said election; providing for the appointment of a Deputy Early Voting Clerk; providing for Early Voting; establishing regular business hours of the City Secretary's Office; providing for a severability clause; and providing an effective date. **[Wingo]**

MOTION: Mayor Pro Tem Kathleen Peele made a Motion to approve **Ordinance # 2014-02-00773** of the City of Lucas, Texas, calling for a General Election to be held on May 10, 2014, for the purpose of electing two (2) City Councilmembers at large, Seats 1 and 2; by the qualified voters of the City of Lucas; providing for the publication and posting of notice of said election; providing for the appointment of a Deputy Early Voting Clerk; providing for Early Voting; establishing regular business hours of the City Secretary's Office; providing for a severability clause; and providing an effective date. Councilmember Philip Lawrence seconded the Motion. Motion carried. Vote: 6-0.

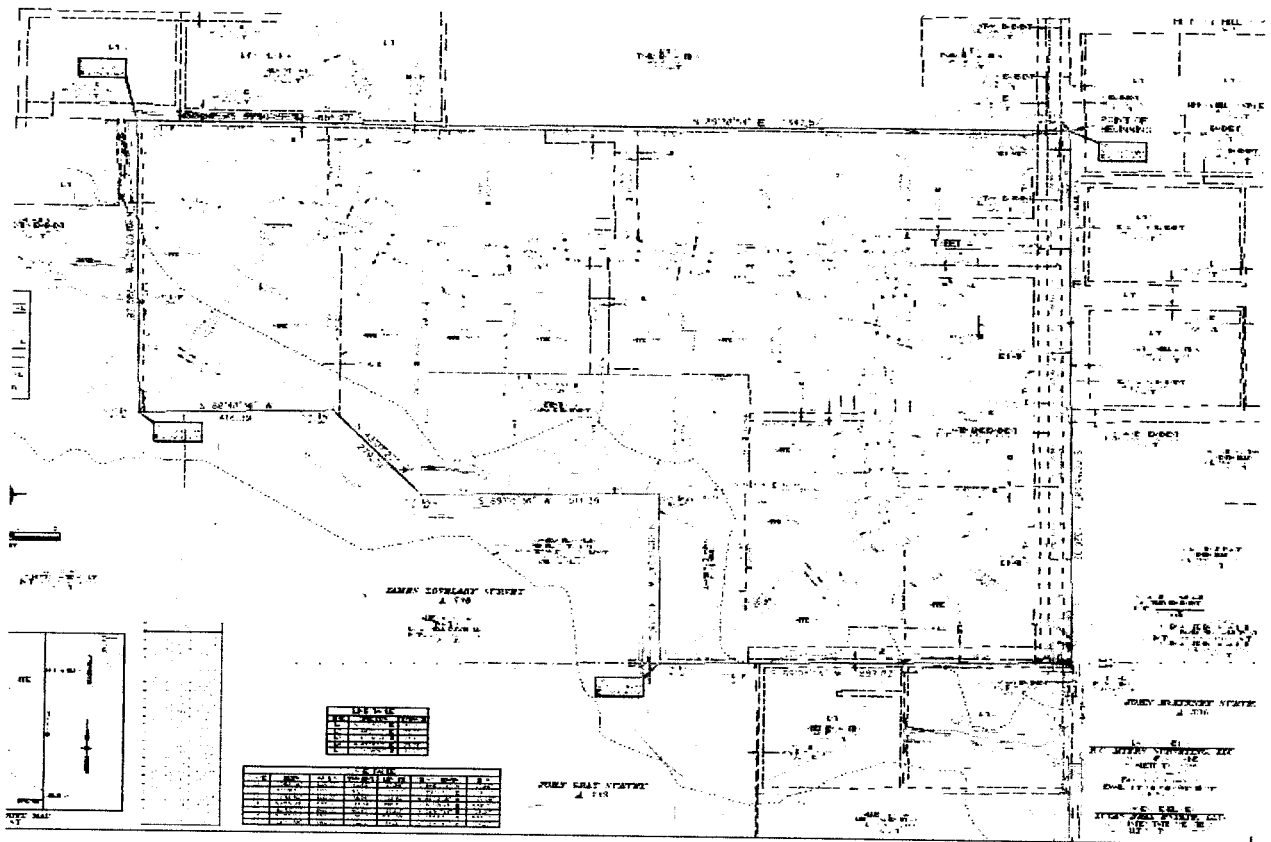
- 5) Discuss and Consider the approval of a preliminary plat for a tract of land situated in the James Lovelady Survey Abstract Number 538, Phase I of the Oakbrook Subdivision, 48.05 acres out of a total of a 92 +/- acre tract of land, consisting of twenty two lots, with a mixed zone of R-1.5 and R-2. **[Hilbourn]**

Todd Winters, on behalf of Liberty Bank, has submitted an application for a preliminary plat for a 92 acre parcel of land on Stinson Road commonly known as Oakbrook Estates.

The parcel has an approved development agreement with an approved concept plan that gives consideration to the number of lots. The original property size was 87 acres, however, the developer has five (5) more acres under contract. The total lots changed from 42 to 44 with the additional 5 lots. The property is currently zoned R-1.5 and R-2; the additional 5 acres is zoned R-1.5. The lot density of the 92 ± acres is 44 lots equal 1 lot per 2.1 acres gross; net 87 acres with 44 lots with 1 lot per 1.9 acres net. Phase I will have 15 of the 22 lots being 2 acres; Phase II will have 6 of 22 lots being 2 acres.

Instead of a bridge across the two properties, with an emergency exit through Stinson Highlands, there will be two dead-end cul-de-sacs with 22 lots each.

The developer will extend part of a city's waterline project in lieu of Impact Fees in that actual amount.



MOTION: Councilmember Jim Olk made a Motion to approve the preliminary plat for a tract of land situated in the James Lovelady Survey Abstract Number 538, Phase I of the Oakbrook Subdivision, 48.05 acres out of a total of a 92 +/- acre tract of land, consisting of twenty two lots, with a mixed zone of R-1.5 and R-2. Councilmember Wayne Millsap seconded the Motion. Motion carried. Vote: 6-0.

- 6) Discuss and Consider the approval of a Professional Services Agreement between the City of Lucas and BW2 Engineers, Inc. for the mapping portion of the 2014 Amendment to the Water Certificate of Convenience and Necessity (CCN) in an amount not to exceed \$14,000. **[Foerster]**

This is an agreement for the mapping portion of the 2014 Amendment to the CCN. There are several areas which the City provides water to that was not included in our current CCN. Some of the areas have been annexed since the last update to the CCN.

Interim City Manager Dan Savage stated that Council previously approved \$40,000 for this project. The completed project, should it be uncontested, could come in well under budget.

MOTION: Mayor Pro Tem Kathleen Peele made a Motion to approve the Professional Services Agreement between the City of Lucas and BW2 Engineers, Inc. for the mapping portion of the 2014 Amendment to the Water Certificate of Convenience and Necessity (CCN) in an amount not to exceed \$14,000. Councilmember Philip Lawrence seconded the Motion. Motion carried. Vote: 6-0.

Mayor Rebecca Mark recused herself from the discussion of Item # 7, Mayor Pro Tem Kathleen Peele took control of the meeting.

- 7) Discuss and Consider the approval of **Resolution # R-2014-02-00409** of the City Council of the City of Lucas, Texas, approving the Advanced Funding Agreement for Voluntary Local Government Contributions to Transportation Improvement Project with no required match; and providing an effective date. **[Foerster]**

Public Works Director Stanton Foerster stated that Council approved this agreement at the January 16th City Council meeting. However, upon sending the agreement to TxDOT they determined that it needed to be in resolution format. Thus the reason that this comes before Council tonight for consideration.

No terms of the agreement has been changed.

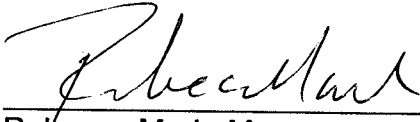
MOTION: Councilmember Wayne Millsap made a Motion to rescind the previously approved agreement and to approve **Resolution # R-2014-02-00409** of the City Council of the City of Lucas, Texas, approving the Advanced Funding Agreement for Voluntary Local Government Contributions to Transportation Improvement Project with no required match; and providing an effective date. Councilmember Steve Duke seconded the Motion. Motion carried. Vote: 5-0.

- 8) Adjournment.

MOTION: Councilmember Jim Olk made a Motion to adjourn the meeting at 7:20 p.m. Councilmember Steve Duke seconded the Motion. Motion carried. Vote: 5-0.

These minutes were approved by a majority vote of the City Council on February 20, 2014.





Rebecca Mark, Mayor

ATTEST:



Kathy Wingo, TRMC, MMC
City Secretary

MEETING DATE: 2-6-14
ITEM # 7

AFFIDAVIT OF CONFLICT OF INTEREST

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

I Rebecca Mark as a member of the City Council of the City of Lucas, Texas, make this affidavit and hereby state on oath that I, or a person related to me, has a substantial interest in a business entity or tract of real property that would be peculiarly affected by a vote or decision of the City Council as those terms are defined in Chapter 171, TEX. LOC. GOV'T CODE.

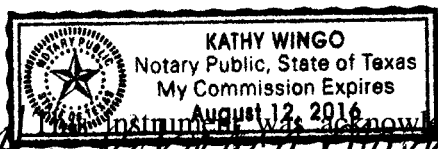
The business entity or property is 2550 Estates Pkwy
LUCAS TX 75202

I have a substantial interest in this business entity or property for the following reasons: (check all which are applicable)

- ☐ Ownership of 10% or more of the voting stock or shares of the business entity.
- ☐ Ownership of 10% or more or \$15,000 or more.
- ☐ Funds received from the business entity exceed 10% of my income for the previous year.
- ☐ Real property is involved and I have an equitable or legal ownership interest in the real property, with a fair market value of at least \$2,500.
- ☐ A person related to me in the first degree by consanguinity or affinity as determined by Chapter 573, TEX. GOV'T CODE has a substantial interest in the business entity or property.
- ☒ Other Live on road affected by construction -

Upon the filing of this affidavit, I affirm that I will abstain from voting on any decision involving this business entity and from any further participation in this subject matter whatsoever.

Sign this 6th day of Feb, 2014.



Rebecca Mark
Signature of Official

This instrument was acknowledged before me on the 6th day of Feb., 2014, by Rebecca Mark the public official indicated above.

Kathy Wingo
Notary Public, State of Texas

My Commission expires: 8/12/16