



**City Council Regular Meeting
May 1, 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 (Absent)
Councilmember Steve Duke
Councilmember Debbie Fisher

Mayor Pro Tem Kathleen Peele
Councilmember Jim Olk
Councilmember Philip Lawrence

Staff Present:

City Manager Joni Clarke
City Attorney Joe Gorfida
Public Works Director Stanton Foerster
Development Services Director Joe Hilbourn

City Secretary Kathy Wingo
Fire Chief Jim Kitchens

It was determined that a Quorum was present.
Everyone was reminded to turn off or silence cell phones.
Councilmember Philip Lawrence 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.

- a) Discussion and update regarding the drought contingency plan, conservation efforts and watering restrictions as it pertains to the City of Lucas. **[Fisher/Foerster]**

Councilmember Debbie Fisher stated that the lake levels are still several feet below normal. North Texas Municipal Water District (NTMWD) is asking that we continue Stage 3 water restrictions through at least the end of May. If there is no significant rainfall there is the possibility of Stage 4 water restrictions in July, meaning no outside watering would be allowed. The severe drought condition will continue through the coming year most likely.

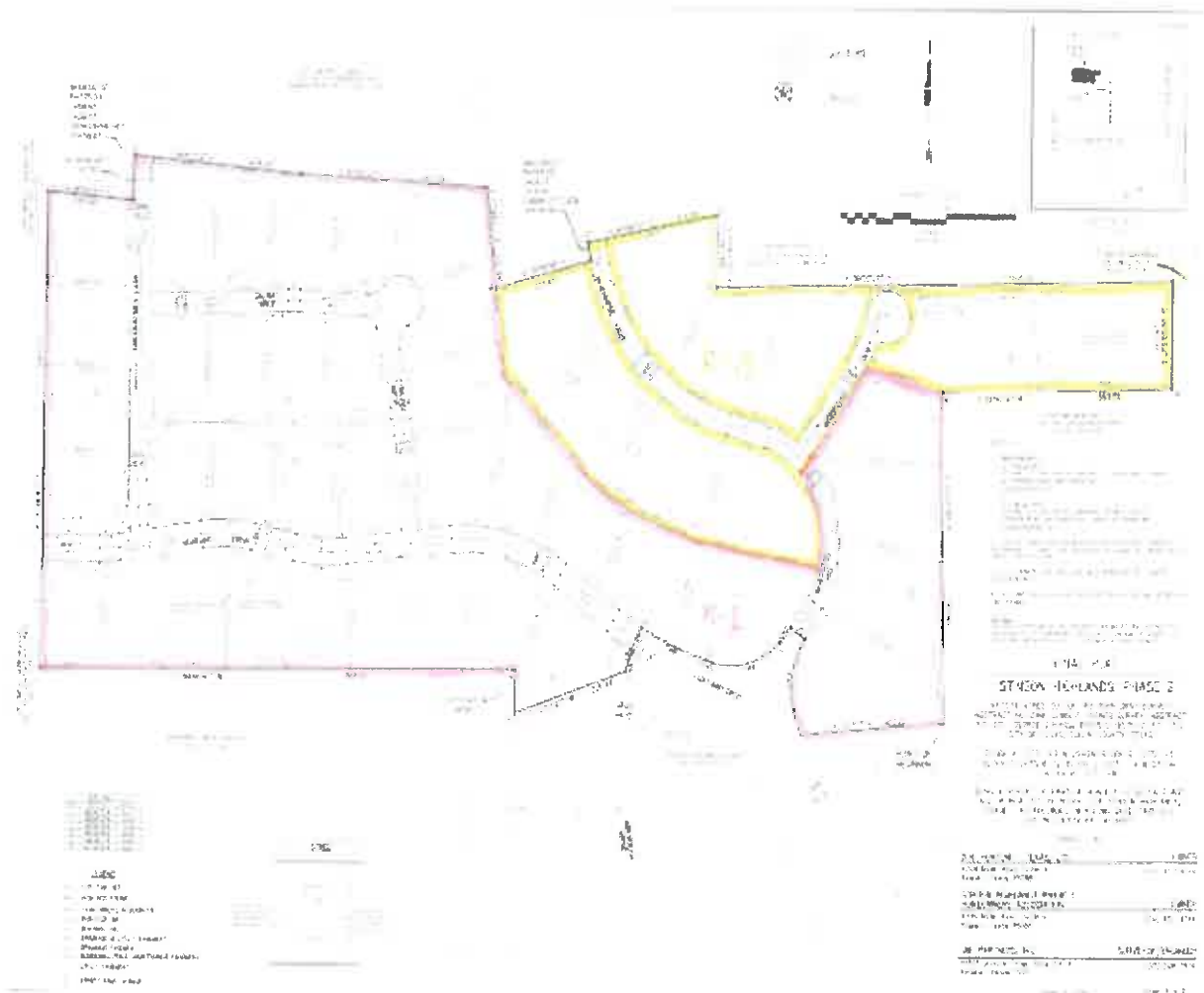
Mayor Rebecca Mark announced that Item # 11 would be brought forward at this time.

Public Hearing(s)

- 3) Public Hearing/Discuss and consider **Ordinance # 2014-05-00777** of the City of Lucas, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Lucas, as heretofore amended, so as to grant a change in zoning classification from Agriculture (“AO”) to Single Family Residential (“R1”) for the ±48.6364-acre tract of land located on Stinson Road, being more particularly described in Exhibit “A” and depicted in Exhibit “B” attached hereto, and more commonly known as Stinson Highlands Phase II. **(This is the 2nd Public Hearing, the 1st Public Hearing was held at the April 10, 2014, Planning & Zoning Commission meeting.) [Hilbourn]**

Development Services Director Joe Hilbourn came forward to present the facts for this item.

Stinson Highlands has an approved Development Agreement with consideration for the number of lots and zoning. This is the second of the three phases. There are two zones in Stinson Highlands Phase II, R-1 and R-1.5. The R-1 section contains 37 lots and 48.6364 ± acres. The lot density net is 1.27 acres per lot.



The plan conforms to the approved Development Agreement. The lots exist and are final platted. If Council should deny this zoning change the development could be used in a manner consistent with the existing zoning, AO.

The Public Hearing was opened at 7:18 p.m.

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

The Public Hearing was closed at 7:19 p.m.

MOTION: Councilmember Debbie Fisher made a Motion to approve **Ordinance # 2014-05-00777** of the City of Lucas, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Lucas, as heretofore amended, so as to grant a change in

zoning classification from Agriculture (“AO”) to Single Family Residential (“R1”) for the ±48.6364-acre tract of land located on Stinson Road, being more particularly described in Exhibit “A” and depicted in Exhibit “B” attached hereto, and more commonly known as Stinson Highlands Phase II. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 6-0.

- 4) Public Hearing/Discuss and consider **Ordinance # 2014-05-00778** of the City of Lucas, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Lucas, as heretofore amended, so as to grant a change in zoning classification from Agriculture (“AO”) to Single Family Residential 1.5 (“R1.5”) for the ±17.4670-acre tract of land located on Stinson Road, being more particularly described in Exhibit “A” and depicted in Exhibit “B” attached hereto, and more commonly known as Stinson Highlands Phase II. **(This is the 2nd Public Hearing, the 1st Public Hearing was held at the April 10, 2014, Planning & Zoning Commission meeting.) [Hilbourn]**

Development Services Director Joe Hilbourn came forward to present the facts for this item.

Stinson Highlands has an approved Development Agreement with consideration for the number of lots and zoning. This is the second of the three phases. There are two zones in Stinson Highlands Phase II, R-1 and R-1.5. The R-1.5 section contains 8 lots and 17.4670 ± acres. The lot density net is 2.125 acres per lot.

See the depiction on page 3.

The plan conforms to the approved Development Agreement. The lots exist and are final platted. If Council should deny this zoning change the development could be used in a manner consistent with the existing zoning, AO.

The Public Hearing was opened at 7:22 p.m.

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

The Public Hearing was closed at 7:22 p.m.

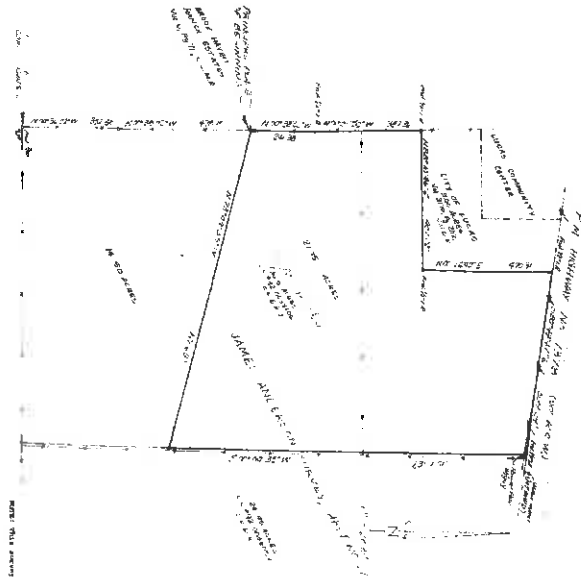
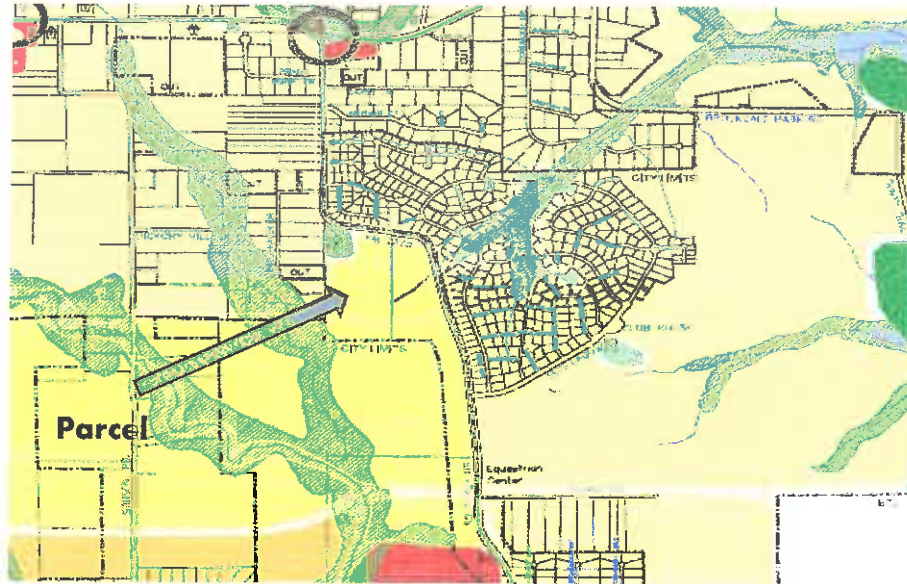
MOTION: Councilmember Jim Olk made a Motion to approve **Ordinance # 2014-05-00778** of the City of Lucas, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Lucas, as heretofore amended, so as to grant a change in zoning classification from Agriculture (“AO”) to Single Family Residential 1.5 (“R1.5”) for the ±17.4670-acre tract of land located on Stinson Road, being more particularly described in Exhibit “A” and depicted in Exhibit “B” attached hereto, and more commonly known as Stinson Highlands Phase II. Councilmember Debbie Fisher seconded the Motion. Motion carried. Vote: 6-0.

- 5) Public Hearing/Discuss and consider **Ordinance # 2014-05-00779** of the City of Lucas, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Lucas, as heretofore amended, so as to grant a change in zoning classification from Agriculture (“AO”) to Single Family Residential 1.5 (“R1.5”) for the ±21.95-acre tract of land located on Country Club Road, South of Kenneth R. Lewis Park, and being more particularly described in Exhibit “A” and depicted in Exhibit “B” attached hereto. **(This is the 2nd Public Hearing, the 1st Public Hearing was held at the April 10, 2014, Planning & Zoning Commission meeting.) [Hilbourn]**

Development Services Director Joe Hilbourn came forward to present the facts for this item.

Dan Ford has submitted an application for the zoning of a parcel of land on Country Club Road, just south of the city’s baseball fields. The land currently is zoned agriculture, AO, and contains 36.45± acres. Mr. Ford is requesting a change in zoning to R-1.5, which matches the city’s comprehensive plan.

See the area map and parcel depiction on the next page.



The Public Hearing was opened at 7:25 p.m.

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

The Public Hearing was closed at 7:25 p.m.

MOTION: Mayor Pro Tem Kathleen Peele made a Motion to approve **Ordinance # 2014-05-00779** of the City of Lucas, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Lucas, as heretofore amended, so as to grant a change in zoning classification from Agriculture (“AO”) to Single Family

Residential 1.5 (“R1.5”) for the ±21.95-acre tract of land located on Country Club Road, South of Kenneth R. Lewis Park, and being more particularly described in Exhibit “A” and depicted in Exhibit “B” attached hereto. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 6-0.

Regular Agenda

- 6) Discuss and consider the approval of the minutes from the April 17, 2014, City Council meeting. **[Wingo]**

MOTION: Mayor Pro Tem Kathleen Peele made a Motion to approve the minutes from the April 17, 2014, City Council meeting. Councilmember Philip Lawrence seconded the Motion. Motion carried. Vote: 6-0.

- 7) Discuss and consider outsourcing the City of Lucas’ newsletter. **[Wingo]**

On March 27th the Mayor, City Manager and City Secretary met with Nancy Pacheco, President of Community News Connection concerning the city newsletter.

The Community News Connection publishes community news magazines, an example being the Fairview Town News (copy provided to each member of Council). This magazine includes articles such as history, road updates, project updates, calendar of events, and the like. The City would provide the news and articles and Ms. Pacheco, as editor, would prepare the layout and submit back to the city for approval. Upon approval of the draft, the newsletter is sent to the printer for production and mailed to the citizens of Lucas.

The cost of the newsletter is paid for through the sale of advertisements to be included in the newsletter. The advertisers would most likely be vendors/stores from the Allen, McKinney, and Plano areas.

Staff would prepare a generic newsletter to be placed on the website that included no advertisements.

The cost savings to the city would be that there would be:

Description	Total
Editor, 4 hours @ 32.05	\$ 128.20
Staff time to print/fold, 12 hours @ 17.41	\$ 208.92
Paper, 4 reams of 11x17 @ 14.95	\$ 59.80
Copier Use, 2522 @ .08	\$ 201.76
Staff time to take newsletter to post office, 1 hour @ 20	\$ 20.00
Postage, per month (providing no insert)	\$ 600.00
TOTAL COST OF MONTHLY NEWSLETTER	\$1,218.68
YEARLY COST OF MONTHLY NEWSLETTER	\$14,624.16

MOTION: Mayor Rebecca Mark made a Motion that Staff would contact Nancy Pacheco, President of Community News Connection, to research the advertiser base for the Lucas Community and determine if this is a viable solution. Councilmember Lawrence seconded the Motion. Motion carried. Vote: 6-0.

- 8) Discuss and consider the use of city facilities for non-city business meetings and events. **[Wingo]**

Back in November Interim City Manager Dan Savage brought before Council an item for discussion regarding the use of the City Council Chambers by non-city entities or groups.

Right now the Council Chamber is only used for official City business such as Council meetings, Board and Commission meetings and things like election polling. In the past Council Chambers were used for non-city meetings and functions. When the new TV's, computers and other equipment were installed this past year, the use of the Council Chambers was restricted because of the high cost of the equipment.

The Fire Department will use the Council Chambers for some of its training and other meetings. Because of that Staff was asked to start scheduling the City use of the Council Chambers in a more formal manner so we can coordinate normal City use with the Fire Department needs.

Council could approach whether or not to open up the Council Chambers for other uses by posing a series of questions that may need to be addressed:

- 1). Who can use the Council Chambers?
- 2). Who is responsible for loss damage, and/or cleanup?
- 3). Will there be a charge or a deposit for non-city use of the Council Chambers?
- 4). Who will have priority over the use of the Council Chamber?
- 5). Will food or drink be permitted?
- 6). Will a City staff person have to be present?
- 7). How will the space be reserved?
- 8). How often can it be used?

There is a proposed training room in the Fire Station addition that will be available for use as a community room. If a policy is developed for the Council Chambers, it could be used as the basis for a policy for the Fire Department training room when that is available in 2015.

	City Council/Boards	City Staff	City Volunteers	Non-Profit Citizen Group	Private Resident	Local Business	Other Business Groups
Who Can Use	Yes	Yes	Yes	Yes	Yes	No	No
Priority	1	2	2	3	4	N/A	N/A
Deposit	No	No	No	Yes	Yes	N/A	N/A
Amount	N/A	N/A	N/A	\$100	\$100	N/A	N/A
Staff Present	Yes	Yes	Yes	Yes	Yes	N/A	N/A
Food and Drink	Yes	Yes	Yes	No	No	N/A	N/A
How Often	N/A	N/A	N/A	1/month	1/month	N/A	
Reserve It	Yes	Yes	Yes	Yes/Drivers Licenses	Yes/Drivers Licenses	N/A	N/A
			LFR	HOA's			
			CERT	Youth Groups			
			Founder's Day				
				*Staff Fee \$25/hr	*Staff Fee \$25/hr		

Staff will continue to work this issue and bring back a policy for Council's consideration at a future meeting.

- 9) Discuss and consider the approval of **Resolution # R-2014-05-00418** of the City Council of the City of Lucas, Texas, deeming the Lovejoy 5K Walk/Run as a public event serving a public purpose by supporting the school district's extracurricular activities; approving the terms and conditions of an agreement by and between the State of Texas, acting by and through the Texas Department of Transportation, and the City of Lucas for the temporary closure of state right-of-way, which is attached hereto and incorporated herein; authorizing the Mayor to execute said agreement; and providing an effective date. **[Foerster]**

Lovejoy is requesting approval that would allow for the 8th Annual Lovejoy Country run to be held on May 17th. Included in the packet is the approval from TxDOT to use state right-of-way; certificate of liability insurance, as well as a letter from the officer in charge of traffic control.

Signs will be posted 10 days prior to the race at Estates Parkway & Rock Ridge Road and Exchange & Rock Ridge Road notifying that the race will be taking place on Rock Ridge Road, Saturday, May 17th. Letters will go out to all residents in and around Rock Ridge Road notifying them of the event date and time.

MOTION: Councilmember Jim Olk made a Motion to approve **Resolution # R-2014-05-00418** of the City Council of the City of Lucas, Texas, deeming the Lovejoy 5K Walk/Run as a public event serving a public purpose by supporting the school district's extracurricular activities; approving the terms and conditions of an agreement by and between the State of Texas, acting by and through the Texas Department of Transportation, and the City of Lucas for the temporary closure of state right-of-way, which is attached hereto and incorporated herein; authorizing the Mayor to execute said agreement; and providing an effective date. Councilmember Steve Duke seconded the Motion. Motion carried. Vote: 6-0.

- 10) Discuss and consider the approval of **Ordinance # 2014-05-00780** of the City Council of the City of Lucas, Collin County, Texas, amending the Lucas Code of Ordinances by amending Chapter 10 titled "Subdivisions" by amending Article 10.03 titled "Subdivision and Development Ordinance" by amending Division 4 titled "Standards and Requirements" by amending Section 10.03.123

titled "Streets and Drainage" by amending Subsection 10.03.123(a) titled "Streets" and Subsection 10.03.123(b) titled "Private Drives" by adding and amending requirements for Private Drives; by amending Subsection 10.03.123(d) titled "Street Name Signs" by amending regulations for street name signs; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of two thousand dollars (\$2,000) for each offense; and providing for an effective date. **[Hilbourn]**

Development Services Director Joe Hilbourn stated that Staff was bringing this code change to require private streets to be dedicated as a lot to the homeowner's association, provide clarification of private road design criteria, and signage for private roads.

The proposed changes:

(a) Streets.

(1) All street widths shall conform to the major thoroughfare plan and shall be as follows:

Street or Thoroughfare Type	Minimum Right-of-Way Width	Pavement Width (measured from edge to edge)
Arterial	120 ft.	39 ft. (each direction)
Major collector	90 ft.	64 ft.
Collector	60 ft.	34 ft.
Residential	50 ft.	24 ft.
Private drive	50 ft.*	24 ft.

*Private drives shall not be in ROW but within an access, drainage, and utility easement.

(2) All street rights-of-way shall be dedicated to the city as part of the platting process and without cost to the city.

(14) A public cross-access easement shall be required between adjacent lots fronting on an arterial street in order to minimize the number of access points and facilitate access between and across individual lots and at any other location where existing lot widths are not sufficient to allow individual driveways per the city's driveway criteria as determined by the city engineer. The location shall be approved by the city. Minimum easement width shall be twenty-four (24) feet and the length shall be the full width of the lot fronting the roadway. This standard is required and must be shown on all optional studies, preliminary plats and final plats.

(16) Residential lots shall not face arterial streets or thoroughfares and driveways shall not be permitted on arterial streets unless approved by the city engineer.

(b) Private drives.

~~(1) Private drives serving less than 4 houses shall have a minimum right-of-way width of fifty feet (50') and shall have a minimum pavement width of twenty-four feet (24') constructed in accordance with the paving design manual.~~

The following are required for private drives:

- (1) A minimum pavement width of twenty-four (24) feet constructed in accordance with the paving design manual.
- (2) Within an access, drainage, and utility easement with a minimum width of fifty (50) feet.
- (3) Shall be in a separated lot dedicated to and maintained by an HOA.
- (4) Shall be all the same design, engineering, and planning elements as a city street.

(d) Street name signs.

- (1) Street name signs and all traffic control devices shall conform to the Texas Manual on Uniform Traffic Control Devices and the standards adopted by the city. Street name signs shall be required at each intersection.
- (2) The cost of the street name signs, poles and installation shall be paid by the developer prior to acceptance of the subdivision. The city shall install the signs upon receipt of payment. The city engineer may allow the developer to install the street name signs and traffic control devices.

This would require private roads to be dedicated to an HOA as a separate lot.

Staff would recommend adding the following:

Section 10.03.123 (e) Storm Sewers—Residential developments.

- (8) Drainage ditches located within the public right of way or drainage easements shall have a minimum of 2% slope, if a drainage ditch has less than 2% slope the drainage ditch shall be concrete lined. The concrete lining shall be a minimum of 2' wide but not less than the width of the base of the ditch, the concrete lining shall be 5 inches thick, have a minimum of 2500 psi compressive strength and have grid pattern of 12" with 3/8" rebar with a minimum of two bars in any direction

MOTION: Mayor Pro Tem Kathleen Peele made a Motion to approve **Ordinance # 2014-05-00780** of the City Council of the City of Lucas, Collin County, Texas, amending the Lucas Code of Ordinances by amending Chapter 10 titled "Subdivisions" by amending Article 10.03 titled "Subdivision and Development Ordinance" by amending Division 4 titled "Standards and Requirements" by amending Section 10.03.123 titled "Streets and Drainage" by amending Subsection 10.03.123(a) titled "Streets" and Subsection 10.03.123(b) titled "Private Drives" by adding and amending requirements for Private Drives; by amending Subsection 10.03.123(d) titled "Street Name Signs" by amending regulations for street name signs; amending Section 10.03.123 (e) Storm Sewers – Residential Developments, adding (8) Drainage ditches located within the public right of way or drainage easements shall have a minimum of 2% slope, if a drainage ditch has less than 2% slope the drainage ditch shall be concrete lined. The concrete lining shall be a minimum of 2' wide but not less than the width of the base of the ditch, the concrete lining shall be 5 inches thick, have a minimum of 2500 psi compressive strength and have grid pattern of 12" with 3/8" rebar with a minimum of two bars in any direction; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of two thousand dollars (\$2,000) for each offense; and providing for an effective date. Councilmember Philip Lawrence seconded the Motion. Motion carried. Vote: 6-0.

- 11) Discuss and consider the maintenance options for Brockdale Park Road involving the City of Lucas, Hillwood Development and/or Collin County and authorize the Mayor to negotiate a contract or agreement for said maintenance.
[Foerster]

City Manager Joni Clarke introduced Collin County's Public Works Director Jon Kleinhessel and thanked him for attending tonight's meeting.

City Manager Joni Clarke went on to say that there has been an enormous effort made by the City of Lucas, Brockdale Communities and especially Collin County. The items before Council tonight for consideration are a funding agreement and an interlocal agreement with Collin County regarding

maintenance of Brockdale Park Road. The city has received a letter of support from Commissioner Cheryl Williams regarding the County's commitment to helping with the Brockdale Park Road issue. Collin County is willing to partner in this project, basically acting as the project manager and contractor. This could potentially save the city somewhere between 30% to 50% in the cost of the project compared to bidding this project out to an outside contractor. Brockdale Communities is pledging resources in the amount of \$603,200 (Up to \$150,000 for maintenance and \$453,200 for reconstruction) to facilitate the improvements to Brockdale Park Road and while the City will be responsible for maintaining its portion of the roadway, this is truly a beneficial solution for all concerned. City Manager Joni Clarke stated that personally she was very appreciative of Commissioner Williams and Public Works Director Jon Kleinhessel for their efforts.

MOTION: Councilmember Jim Olk made a Motion to approve the funding agreement between the City of Lucas and Brockdale Community LLC and the interlocal agreement between the City of Lucas and Collin County regarding maintenance of Brockdale Park Road. Councilmember Steve Duke seconded the Motion. Motion carried. Vote: 6-0.

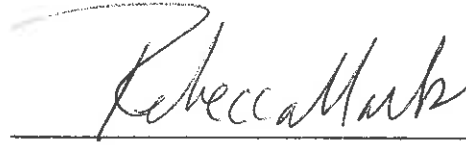
12) Discuss and consider the proposed cancellation of the July 3, 2014 City Council meeting. **[Mark]**

MOTION: Councilmember Jim Olk made a Motion to cancel the July 3, 2014 City Council meeting. Councilmember Philip Lawrence seconded the Motion. Motion carried. Vote: 6-0.

13) Adjournment.

MOTION: Councilmember Jim Olk made a Motion to adjourn the meeting at 8:52 p.m. Mayor Pro Tem Kathleen Peele seconded the Motion. Motion carried. Vote: 6-0.

These minutes were approved by a majority vote of the City Council on May 15, 2014.



Rebecca Mark
Mayor



ATTEST:



Kathy Wingo, TRMC, MMC
City Secretary