



**City Council Regular Meeting
August 21, 2014, 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 (Absent)

Councilmember Steve Duke

Councilmember Debbie Fisher

Mayor Pro Tem Kathleen Peele

Councilmember Jim Olk

Councilmember Philip Lawrence

Staff Present (Absent):

City Attorney Joe Gorfida

City Secretary Kathy Wingo

Fire Chief Jim Kitchens

Human Resource Manager Cheryl Meehan

Development Services Director Joe Hilbourn

City Manager Joni Clarke

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.

Councilmember Steve Duke 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 after the recent rain event, the lake had risen 2". Citizens are still being asked to conserve water.

Public Works Director Stanton Foerster said that two citizens had asked for assistance with knowing how much to water.

- b) Mayor Rebecca Mark will read a Proclamation for the 70th anniversary of the creation of Smokey Bear.

Mayor Rebecca Mark read a Proclamation for the 70th anniversary of the creation of Smokey Bear.

Public Hearing(s)

- 3) Public Hearing/discuss and consider Fiscal Year Budget for 2014-2015. **[This is the 1st Public Hearing, the 2nd Public Hearing will be held on September 4, 2014]**

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

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

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

No action, the 2nd Public Hearing will be held on September 4, 2014.

- 4) Public Hearing/Discuss and consider the unilateral annexation of a 9.474 acre tract of land out of the Montgomery Birch Survey, Abstract 115, Collin County, Texas, being the remainder of a 39.73 acre tract of land as deeded to Owen George and recorded in

Volume 550, Page 165 of the Deed Records of Collin County, Texas (DRCCT), and located along E. Lucas Road. **[This is the 2nd Public Hearing, the 1st Public Hearing was held on August 7, 2014.] [Hilbourn]**

The Public Hearing was opened at 7:13 p.m.

Robert Burch, 2908 Opal Court, McKinney, TX came forward to speak AGAINST this item.

Lynette Vanhorn, 1515 Shady Lane, came forward to speak AGAINST this item.

Robert Vaughn, 408 Lanwood, Wylie, TX sent an email AGAINST this item.

Russ Alvey, 2150 E. Lucas Road came forward to speak neither FOR nor AGAINST this item.

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

No action, ordinance will be brought back to the September 4, 2014 City Council Regular meeting for Council's consideration and action.

- 5) Public Hearing/Discuss and consider the unilateral annexation of a tract of land BEGINNING at a roome capped 1/2 inch iron rod found in the southeast right-of-way line of FM 3286, a northwest line of said 28.9936 acre tract, and also marking the northwest corner of a 10.00 acre tract of land owned by Faustino Aranda as recorded in Volume 4850, Page 743 DRCCT. **[This is the 2nd Public Hearing, the 1st Public Hearing was held on August 7, 2014.] [Hilbourn]**

The Public Hearing was opened at 7:40 p.m.

Russ Alvey, 2150 E. Lucas Road came forward to speak neither FOR nor AGAINST this item.

The Public Hearing was closed at 7:41 p.m.

No action, ordinance will be brought back to the September 4, 2014 City Council Regular meeting for Council's consideration and action.

- 6) Public Hearing/Discuss and consider the unilateral annexation of a tract of land commencing for reference at a right-of-way monument found marking the northwest corner of said 28.9936 acre tract, said corner also being the intersection of the southeast Right of Way line of FM 3286 with the east right-of-way line of County Road 391, THENCE with the southeast right-of-way line of FM 3286 and the northwest line of said 28.9936 acre tract, more fully described in the packet, and containing 10 acres of land, more or less. **[This is the 2nd Public Hearing, the 1st Public Hearing was held on August 7, 2014.] [Hilbourn]**

The Public Hearing was opened at 7:44 p.m.

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

The Public Hearing was closed at 7:44 p.m.

No action, ordinance will be brought back to the September 4, 2014 City Council Regular meeting for Council's consideration and action.

Consent Agenda

The Consent Agenda was presented for consideration and action.

MOTION: Councilmember Jim Olk made a Motion to approve the Consent Agenda as presented. Councilmember Steve Duke seconded the Motion. Motion carried. Vote: 6-0.

7) Consent and Approve:

- a) The minutes from the August 7, 2014 City Council meeting.
[Wingo]
- b) **Ordinance # 2014-08-00782** of the City of Lucas, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Lucas, Texas, as heretofore amended, by granting a Specific Use Permit (SUP) to allow for the operations of a drive-through on 1.478 acre tract of land out of the William Snider Survey, Abstract Number 821, City of Lucas, Collin County, Texas, and more commonly known as Lot 3 of the Lucas Wal-Mart Addition, and being more particularly described in Exhibit "A" attached hereto; providing for approval of the site plan attached hereto as Exhibit "B"; providing a repealing clause; providing a penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date.
- c) **Ordinance # 2014-08-00783** of the City of Lucas, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Lucas, Texas, as heretofore amended, by granting a Specific Use Permit (SUP) to allow for the operations of a drive-through on 1.478 acre tract of land out of the William Snider Survey, Abstract Number 821, City of Lucas, Collin County, Texas, and more commonly known as Lot 3 of the Lucas Wal-Mart Addition, and being more particularly described in Exhibit "A" attached hereto; providing for approval of the site plan attached hereto as Exhibit "B"; providing a repealing clause; providing a penalty of fine not to

exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date.

- d) The Collin County Interlocal Agreement Contract Amendment # 7 for On-Site Sewage Facility (OSSF) with all terms and conditions continuing in full force and effect, term of said agreement to be October 1, 2014 up to and including September 30, 2015.
- e) Discuss and consider the approval of site plan for Lot 3 of the Lucas Wal-Mart Addition a tract of land containing 1.478 acres of land, with proposed site containing two commercial buildings; one being a 1,752 square feet a Starbucks with a drive through, and a 3,485 square feet a Wendy's restaurant with a drive through. **[Hilbourn]**

Regular Agenda

- 8) Discuss and consider the Interlocal Cooperative Agreement between the City of Lucas and Seis Lagos Utility District regarding fire and emergency medical services and the level of future services, if any, to be provided to the District. **[Clarke]**

This item was removed from the agenda.

- 9) Discuss and consider a request by Mike Phipps on behalf of LCA for an amendment to an approved development agreement for Lucas Christian Academy. The Amendment is to allow LCA to install flex base temporary parking in phase 2 without triggering the requirement to pay impact fees.

MOTION: Councilmember Jim Olk made a Motion to an amendment to an approved development agreement for Lucas Christian Academy. The Amendment is to allow LCA to install flex base temporary parking in

phase 2 without triggering the requirement to pay impact fees. Councilmember Debbie Fisher seconded the Motion. Motion carried. Vote: 6-0.

- 10) Discuss and consider the approval of **Ordinance # 2014-08-00787** of the City of Lucas, Texas, amending the Code of Ordinances by amending Chapter 4 “Business Regulations” by adding Article 4.07 “Emergency Ambulance Service” designating the City’s Fire Department as the City’s emergency ambulance provider; providing a repealing clause; providing a severability clause; providing a savings clause; providing for a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and providing for an effective date. **[Kitchens]**

MOTION: Councilmember Jim Olk made a Motion to approve **Ordinance # 2014-08-00787** of the City of Lucas, Texas, amending the Code of Ordinances by amending Chapter 4 “Business Regulations” by adding Article 4.07 “Emergency Ambulance Service” designating the City’s Fire Department as the City’s emergency ambulance provider; providing a repealing clause; providing a severability clause; providing a savings clause; providing for a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and providing for an effective date, with change to Section 4.07.003 (a), remove “a member of”. Councilmember Steve Duke seconded the Motion. Motion carried. Vote: 6-0.

- 11) Discuss and consider the approval of an agreement between ESO Solutions, Inc., and the City of Lucas to provide a Health Data Exchange ability with our EMS Patient Care Reporting Software company in the amount of \$1,000 annually and authorize the City Manager to execute the agreement. **[Stephens]**

MOTION: Councilmember Philip Lawrence made a Motion to approve an agreement between ESO Solutions, Inc., and the City of Lucas to provide a Health Data Exchange ability with our EMS Patient Care Reporting Software company in the amount of \$1,000 annually and authorize the City Manager to execute the agreement. Councilmember Steve Duke seconded the Motion. Motion carried. Vote: 6-0.

- 12) Discuss and consider approving an Interlocal Agreement between the City of Lucas and Collin County, Texas for the provision of firefighting/fire protection services and emergency medical services including patient transport for the benefit of an area of the county that is located in the City's extraterritorial jurisdiction and authorize the Mayor to execute said agreement. **[Clarke]**

MOTION: Mayor Pro Tem Kathleen Peele made a Motion to approve an Interlocal Agreement between the City of Lucas and Collin County, Texas for the provision of firefighting/fire protection services and emergency medical services including patient transport for the benefit of an area of the county that is located in the City's extraterritorial jurisdiction and authorize the Mayor to execute said agreement. Councilmember Steve Duke seconded the Motion. Motion carried. Vote: 6-0.

- 13) Discussion and action regarding the method and process used to conduct market surveys and the establishment of criteria to be used to identify benchmark cities. **[Clarke/Meehan]**

DIRECTIVE: Staff to use the following counties of Dallas, Tarrant, Denton, Collin, and Rockwall. Staff should look at property tax for residential and

commercial. Staff will bring back to Council for further consideration.

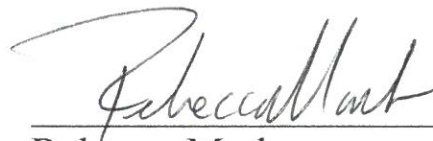
- 14) Discuss and consider the process for the upcoming Boards & Commission appointments including an update on the applications received and establishing a date and time for the interviews of applicants. **[Wingo]**

This item will be placed on the next few agendas to update Council on applicants.

- 15) Adjournment.

MOTION: Councilmember Jim Olk made a Motion to adjourn the meeting at 8:25 p.m. Councilmember Philip Lawrence seconded the Motion. Motion carried. Vote: 6-0.

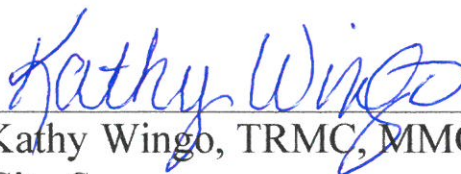
These minutes were approved by a majority vote of the City Council on September 4, 2014.



Rebecca Mark

Mayor

ATTEST:



Kathy Wingo, TRMC, MMC
City Secretary