



**City of Lucas
City Council Meeting
October 20, 2016
7:00 P.M.**

**City Hall - 665 Country Club Road – Lucas Texas
Minutes**

Call to Order

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

City Councilmembers Present:

Mayor Jim Olk
Mayor Pro Tem Kathleen Peele
Councilmember Wayne Millsap
Councilmember Tim Baney
Councilmember Steve Duke
Councilmember Philip Lawrence
Councilmember Debbie Fisher

Staff Present:

City Manager Joni Clarke
City Secretary Stacy Henderson
City Attorney Joe Gorfida
Development Services Director Joe Hilbourn
Public Works Director/City Engineer Stanton Foerster
Finance Director Liz Exum
Fire Chief Jim Kitchens
Human Resources Manager Cheryl Meehan

Mayor Olk determined that a quorum was present. Everyone was reminded to turn off or silence their cell phones and the Pledge of Allegiance was recited.

Citizen Input

1. Citizen Input:

There was no citizen input.

Community Interest

2. Community Interest Items:

Mayor Olk presented to Finance Director Liz Exum the 2015 Certificate of Achievement for Excellence in Financial Reporting Award from the Government Finance Officers Association.

Mayor Olk then read a Proclamation declaring October 2016 as Breast Cancer Awareness Month.

Mayor Olk announced that Saturday, October 22, 2016 was the City's annual Founders Day event.

Public Hearing

3. **Public hearing to consider adopting Ordinance 2016-10-00840 amending the City's Code of Ordinances, Chapter 14, Article 14.04, Division 8 - Accessory Buildings, Structures and Uses regarding square footage requirements for habitable space and accessory buildings; and amendments to the Code of Ordinances, Schedule Use Chart related to guest/servant quarters and accessory buildings with habitual space.**

Development Services Director Joe Hilbourn gave a presentation noting the proposed changes recommended by the Planning and Zoning Commission that included:

- No trailers, containers, commercial boxes or other similar structures shall be used as accessory structures or buildings, with the exception of industrial, commercial, and agriculture uses with 5 acres or more, that may use trailers, containers, or commercial boxes for temporary storage, for a period not to exceed 90 days total in any one calendar year.
- Accessory buildings may contain habitable space as defined by the International Residential Code adopted by the City and may not be rented out.
- Accessory buildings may contain habitable space up to 600 square feet in Residential-1 zoning districts; 800 square feet in Residential-1.5 zoning districts; and 1,000 square feet in Residential-2 zoning districts.

Mayor Olk opened the public hearing at 7:08 pm and noted that a citizen input card was received from Kathleen LoSapio, 650 Scarlett Drive, Lucas, noting her opposition to the accessory building amendments.

There being no one in the audience wanting to speak, Mayor Olk closed the public hearing at 7:08 pm.

The Mayor and City Council discussed various aspects of the proposed ordinance including, architectural compatibility with the main structure, square footage requirements for habitable space, accessory buildings within agricultural zoned properties, zoning compliance and enforcement related to accessory buildings, square footage requirements within residential zoning districts, and being cautious to over-regulating with proposed changes.

MOTION: *A motion was made by Mayor Olk, seconded by Councilmember Millsap, to adopt Ordinance 2016-10-00840 amending the City's Code of Ordinances, Chapter 14, Article 14.04, Division 8 - Accessory Buildings, Structures and Uses with the below written amendments. The motion passed by a 6 to 1 vote, with Councilmember Fisher voting in opposition. The following Sections outline amendments made to the adopted Ordinance.*

Section 14.04.302(d) shall read "Exception: agricultural use on property with five or more acres, and industrial or commercial uses may use trailers, containers or commercial boxes for temporary storage for a period not exceeding 90 days total in

any one calendar year. The Development Services Director may approve additional time in 30 day increments up to a maximum of 180 days.”

Section 14.04.304, Subsection 4, Subsection 1(b) this section shall be removed relating to accessory buildings containing habitable space shall be architecturally compatible with the main building.

Section 14.04.304, Subsection 4, Subsection 1(d) this section shall be removed that regulates the people that could reside in the habitable space; and renumbering Subsections e and f.

Section 14.04.304, Subsection 4, Subsection 2 (a)(ii) shall read “one accessory building may contain up to 1,500 square feet of habitable space.”

Section 14.04.304, Subsection 4, Subsection 2 (b)(i) shall read “one accessory building may contain up to 1,250 square feet of habitable space.”

Section 14.04.304, Subsection 4, Subsection 2 (c)(i) shall read “one accessory building may contain up to 1,000 square feet of habitable space.”

Consent Agenda

4. **Consider approval of the minutes of the September 15, 2016, City Council meeting.**
5. **Consider approving Resolution R 2016-10-00455 authorizing an interlocal agreement between the City of Lucas and Collin County for Collin County to fund a portion of the construction costs for improvements to the East Winningkoff Trailhead.**

MOTION: *A motion was made by Councilmember Millsap, seconded by Councilmember Lawrence to approve the Consent Agenda as presented. The motion passed unanimously by a 7 to 0 vote.*

Regular Agenda

6. **Consider updates to the Water System Capital Improvement Plan for 2016 to 2030 prepared by BW2 Engineers, Inc.**

Public Works Director/City Engineer Stanton Foerster stated that as the City Council updates the Comprehensive Plan, the design, upgrade and growth of the City’s water infrastructure should also be evaluated as to items that should be prioritized and budgeted for future years. Mr. Foerster discussed dead end lines that need to be addressed as well as water loss that occurs during flushing.

The City Council discussed the possibility of establishing rates to cover a portion of the costs, impact fees, and the option of paying as you go to not incur the cost of bonds.

Mr. Foerster shared with the City Council a prioritized list and funds needed for the top five recommended CIP projects:

1. Parker Road 12-inch phase 1 (TxDOT) - \$292,037
2. Lewis/Parker 8-inch (TxDOT) - \$326,004
3. Wiltshire/N. Pump 8-inch connection - \$98,237
4. N. Pump Water Tower - \$1,496,880
5. Restore N. Pump Station - \$153,821

Mr. Foerster stated that funds were budgeted for Items 1, 2 and 3; funds were not budgeted for items 4 and 5.

Councilmember Millsap discussed reserve funds in the water fund and adjusting rates to assist in covering costs. Councilmember Millsap noted that projects could be funded without having to obtain any Certificates of Obligation.

Mayor Olk asked staff to include these projects as part of the Comprehensive Plan update and Capital Improvement Projects and to include how they will be funded.

This was a discussion item only, no formal action was taken.

7. Consider adopting Ordinance 2016-10-00844 removing the Statutory Limitations for funding for the Texas Municipal Retirement Services.

Human Resources Manager Cheryl Meehan stated that the Texas Municipal League (TML) notifies the City each year of the actuarially contribution rate for retirement benefits and supplemental death benefits required for participation. The City's current rate is 13.90% for 2017. Ms. Meehan stated that TML requires the City to contribute an actuarially determined amount in order to insure full funding of employee retirement benefits, with the amount varying from year to year.

Ms. Meehan discussed the need to remove or increase the statutory limitation to keep the benefit plan properly funded.

The City Council agreed that they would like to review this item as part of the budget annually each year, and they would also like to table the item to a later City Council meeting in order for staff and the City Attorney to review and clarify the options available.

MOTION: *A motion was made by Mayor Olk, seconded by Councilmember Fisher to table this item at this time. The motion passed by a 7 to 0 vote.*

8. Consider the City of Lucas options available through Texas Multistate Intergovernmental Benefits Pool and Public Employee Benefits Alliance (PEBA) for Pre and Post Sixty-five Retiree Benefits.

Human Resources Manager Cheryl Meehan stated that currently healthcare was not offered by the City for pre sixty-five retirees because it could negatively impact the cost to existing employee health coverage. However, healthcare for pre sixty-five retirees was available through COBRA for 18 months. Ms. Meehan noted that the City also had the option to consider offering a healthcare opportunity to post sixty-five retirees through the Public Employees Benefits Alliance without negatively impacting the cost to employee benefits. All arrangements would be handled by the retiree and PEBA; however, the City would be required have to opt into the program in order to have access to participate.

***MOTION:** A motion was made by Councilmember Millsap, seconded by Councilmember Lawrence to decline the pre sixty-five retiree election and to allow the post sixty-five election as presented by staff. The motion passed by a 7 to 0 vote.*

9. **Consider adopting Ordinance 2016-10-00833 approving amendments to the City's Code of Ordinances by amending Appendix C "Fee Schedule" Article 19.000 (7) "Wastewater Rates" to provide for rates for wastewater consumption and discharge over 2,000 gallons.**

Public Works Director/City Engineer Stanton Foerster stated that wastewater fees are based on the water consumption and the amount of water the City sells. The City pays North Texas Municipal Water District for each gallon placed into the sanitary sewer system. Mr. Foerster noted that the cost the City pays was rising much faster than the revenue generated from customers. Mr. Foerster suggested that in an attempt to charge customers appropriately, the fee should be increased.

Mr. Foerster discussed leak testing and infiltrations, such as ground water getting into the sewer system.

***MOTION:** A motion was made by Councilmember Millsap, seconded by Councilmember Fisher to adopt Ordinance 2016-10-00833 approving amendments to the City's Code of Ordinances by amending Appendix C Fee Schedule, Article 19.000(7) to provide for rates for wastewater consumption and discharge over 2,000 gallons. The motion passed by a 7 to 0 vote.*

10. **Consider amendments to the City's Comprehensive Plan including:**
 - **Chapter 1 – Introduction**
 - **Chapter 2 – Demographics**
 - **Chapter 3 – Housing**
 - **Chapter 4 – Land Use**
 - **Chapter 5 – Economic Development**
 - **Chapter 6 – Parks, Recreation & Open Space**
 - **Chapter 7 – Streets, Drainage & Master Thoroughfare Plan**
 - **Chapter 8 – Water System**

Mayor Pro Tem Peele noted her updates to the Comprehensive Plan and forwarded those to the City Secretary.

City Manager Joni Clarke asked that the City Council review the Master Thoroughfare Plan and submit any amendments that did not accurately reflect the vision for the city. In particular, roadways managed by the State and County, such as, Country Club Road, Estates Parkway and FM 1378.

Mayor Olk discussed the increase in traffic in and around Lucas due to additional development and suggested that East Lucas Road may have to be widened at some point to alleviate congestion.

Mayor Pro Tem Peele expressed her opposition to the widening of East Lucas Road to 4-lanes and noted that Angel Parkway would be widened in the future to assist with alleviating traffic through the City.

City Manager Joni Clarke stated that currently emergency services faces problems traveling on East Lucas Road due to traffic congestion. Three lanes would help alleviate that congestion.

Mayor Olk asked the Council to review the Thoroughfare Plan and the Collin County Transportation Plan and discuss this item again at another meeting.

The Council also suggested that a Town Hall meeting be held in order to gain feedback regarding traffic and potential future roadway changes.

This was a discussion item only, no formal action was taken.

11. Consider adopting Ordinance 2016-10-00843 approving amendments to the City's Code of Ordinances Chapter 10, Section 10.03.123 (i) Streets and Drainage relating to where street lights may be located and including an appeal process.

Development Services Director Joe Hilbourn gave a brief presentation noting that proposed changes to street lighting including requiring street lights in new subdivisions when deemed necessary by the Public Works Director/City Engineer for safety, as well as for existing intersections. Mr. Hilbourn noted that proposed amendments also include guidelines on the types of lights that are permitted and an appeal process to allow for further review.

Mayor Olk noted that the appeal process was not included in the proposed ordinance and asked staff to bring the ordinance back at the November 3, 2016 meeting with the appeal section added.

There was no formal action taken on this item.

Executive Session

The City Council may convene in a closed Executive Session pursuant to Chapter 551.071 of the Texas Government Code.

12. Executive Session.

No items were scheduled for Executive Session.

13. **Adjournment.**

MOTION: *A motion was made by Councilmember Millsap, seconded by Councilmember Lawrence to adjourn the meeting at 9:37 pm. The motion passed unanimously by a 7 to 0 vote.*

APPROVED:



Jim Olk, Mayor

ATTEST:



Stacy Henderson, City Secretary

