



**City of Lucas
City Council Special Meeting
October 25, 2017
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 Steve Duke
Councilmember Debbie Fisher
Councilmember Wayne Millsap
Councilmember Philip Lawrence

Staff Present:

City Manager Joni Clarke
City Attorney Joe Gorfida
City Secretary Stacy Henderson
Development Services Director Joe Hilbourn
Public Works Director/City Engineer Stanton Foerster

City Councilmembers Absent:

Councilmember Tim Baney

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

Regular Agenda

- 1. First public hearing to consider the annexation of territory currently in the City's extraterritorial jurisdiction consisting of approximately 32.97 acres of land out of the Benjamin Sparks Survey, Abstract No. 813, in Collin County Texas, as described in volume 3928, page 145, and generally located on the east side of FM 1378, one-quarter mile north of the intersection of FM 1378 and W. Lucas Road (also commonly known as Cimarron Estates) and consisting of approximately 25 lots surrounding the City of Lucas, Texas.**

Development Services Director Joe Hilbourn reviewed a map of the area encompassing Cimarron Estates, located near the intersection of Country Club and W. Lucas Road. Cimarron Estates has 25 lots located within the City's extraterritorial jurisdiction, each approximately one-acre in size. Mr. Hilbourn stated that he received six phone calls related to the proposed annexation. Two calls received were opposed to any annexation taking place, two calls were in favor of annexation, and the two remaining calls received were indifferent.

Councilmember Fisher clarified that the proposed annexation had nothing to do with school boundaries or any redistricting.

Councilmember Lawrence asked Mr. Hilbourn if he explained to the six residents that called the City, that street repairs within their subdivision would not occur immediately, and could be some time before any repairs would be incorporated into a street maintenance program.

Mr. Hilbourn explained that all his discussions with the residents that called were related to taxes, amenities that would be received, and the reduction in water rates should their subdivision be annexed into the City. Mr. Hilbourn discussed the average difference between property tax increases that would occur and reductions in water rates. Mr. Hilbourn stated that there were no conversations related to street maintenance or drainage concerns during these telephone conversations.

Mayor Olk opened the public hearing at 7:07 pm and called the following individuals forward that requested to speak.

Mike Fletcher, 1810 Marchmont Drive, asked for clarification on the cost associated with annexation for residents within Claremont Springs. Mr. Hilbourn explained that on average taxes would increase approximately \$1,000, and water rate costs would be reduced by approximately \$400.

Mayor Olk stated that the City Council was discussing the public hearing for Cimarron Estates and informed Mr. Fletcher he could speak during Agenda Item No. 2 related to Claremont Springs.

Diane Olson, Cimarron Estates, explained that when Cimarron Estates was developed, the drainage was not in compliance. Should Cimarron be annexed, Ms. Olson asked if residents would be required to bring the drainage into compliance.

Development Services Director Joe Hilbourn explained that when Cimarron Estates was developed, permits and inspections were completed by the County. Once the City of Lucas had the authority to conduct inspections within extraterritorial jurisdiction areas of the City, an inspection was conducted at Cimarron Estates. It was determined that additional items were needed to improve the drainage, and the developer was required to install concrete drainage ditches throughout the development. Mr. Hilbourn stated that no additional requirements were needed nor would be asked of the residents within Cimarron should they be annexed.

There being no one else wishing to speak, Mayor Olk closed the public hearing at 7:12 pm.

This item was for discussion purposes only and no formal action was taken.

- 2. First public hearing to consider the annexation of territory currently in the City's extraterritorial jurisdiction consisting of approximately 36.84 acres of land out of the James M. Snider Survey, Abstract No. 824, in Collin County, Texas, as described in volume 924, page 443, and generally located on the south side of Estates Parkway, one-half mile west of the intersection of Ingram Road and Estates Parkway (also commonly known as Claremont Springs, Phase 1) and consisting of approximately 24 lots, surrounding the City of Lucas, Texas.**

Development Services Director Joe Hilbourn stated that he received one phone call from a resident that wanted to be de-annexed from the City as they didn't feel they should pay for City services if their neighbors did not.

Councilmember Lawrence asked Mr. Hilbourn if he explained to the resident that street repairs within their subdivision would not occur immediately, and could be some time before any repairs would be incorporated into a street maintenance program.

Mr. Hilbourn stated he did not discuss street repairs with the resident that called.

Councilmember Fisher asked Mr. Hilbourn to explain the City services that were being provided as a benefit to the extraterritorial jurisdiction areas, such as police, fire and EMS that were currently being paid for by Lucas taxpayers.

Mr. Hilbourn explained that the extraterritorial jurisdiction areas were included in law enforcement patrols, fire service, emergency medical services, as well as engineering services and inspections. Mr. Hilbourn noted that some extraterritorial jurisdiction areas also receive insurance discounts because of the City's Fire Department Insurance Service Office rating. He also explained that the City was only required to provide services inside the city limits, but as a matter of principal emergency services were being provided, as the County does not have a fire/EMS department. Mr. Hilbourn further explained that if the City did not respond to emergency calls, response times from other mutual aid agencies would be much longer.

Mayor Pro Tem Peele stated that the City of Lucas extraterritorial jurisdiction areas were located within the middle of the City, surrounded by other developments. Mayor Pro Tem Peele explained that it would be difficult for residents within the extraterritorial jurisdiction areas to obtain their own contracts for fire and law enforcement services, trash service and other services that were currently being provided by the City. Ms. Peele noted that these services were being provided to the extraterritorial jurisdiction areas, but the City of Lucas taxpayer was paying for these services.

Councilmember Lawrence explained that it was beneficial for the City to encumber the small extraterritorial jurisdiction areas that were currently surrounded by City development, but that he also wanted to hear from the residents their views regarding annexation of their property. Councilmember Lawrence discussed the upcoming legislation that takes affect December 1 that would require an election for any annexation to take place.

Councilmember Millsap explained that 46% of the tax rate goes towards law enforcement and fire/EMS services. Councilmember Millsap stated that annexation of extraterritorial jurisdiction areas was in regard to being fair to everyone, not circumventing legislation that was taking effect.

Mayor Olk opened the public hearing at 7:31 pm and called the following individuals forward that requested to speak.

Mike Fletcher, 1810 Marchmont Drive, noted that residents should have a choice if they would like to be annexed into the City. He also asked why two public hearings were being held at the same meeting. Mr. Fletcher stated that 13 of the 23 residents of Claremont Springs being affected were opposed to being annexed into the City.

Debra Copeland, 1819 Marchmont Drive, explained that she paid a higher rate for water, did not use City parks, and failed to see how the residents of Claremont Springs were a strain on City resources.

Tom Belter, 1804 Desoto Court, stated that he was opposed to being annexed into the City, his taxes increasing, and the City attempting to annex areas before the law changed.

Rick Cherry, 901 Amblerwood Drive, asked for clarification in water rates should they be annexed, and the City's current tax rate. Mr. Cherry also asked if there were any drainage issues that the residents would be required to correct.

Mayor Olk noted that there were drainage issues in the Claremont Springs subdivision with an estimated cost for repairs at approximately \$75,000 to \$100,000 that would be incurred by the City. Mayor Olk discussed various ways in which the drainage could be addressed, and also discussed water and tax rates.

Kenneth Rich, 811 Amblerwood Drive, did not wish to come forward and speak but noted his opposition to annexation.

Ed Wilson, 1801 Marchmont Drive, explained that he did not want to be annexed into the City, that he paid for services such as water and trash, and was not in favor of holding back to back public hearings at the same meeting.

Mayor Olk noted that he received citizen input from Bruce Orsmond, 7009 Webb Lane, that did not wish to speak, but was opposed to annexation into the City.

There being no one else wishing to speak, Mayor Olk closed the public hearing at 7:47 pm.

Councilmember Lawrence noted his opposition to conducting two public hearings at the same meeting, and was in favor of providing additional time for residents to review the information given at the meeting.

This item was for discussion purposes only and no formal action was taken.

- 3. First public hearing to consider the annexation of territory currently in the City's extraterritorial jurisdiction consisting of approximately 62.97 acres of land out of the Benjamin Sparks Survey, Abstract No. 813, in Collin County, Texas, as described in volume 549, page 333, and generally located on the north side of FM 1378, one-half mile east of the intersection of FM 1378 and W. Lucas Road (also commonly known as Edgewood Estates) and consisting of approximately 49 lots.**

Councilmember Lawrence asked Mr. Hilbourn if he explained to residents that called the City, that street repairs within their subdivision would not occur immediately, and could be some time before any repairs would be incorporated into a street maintenance program.

Mr. Hilbourn stated he did not discuss street repairs or drainage with any resident that called.

Mayor Olk opened the public hearing at 7:53 pm and called the following individuals forward that requested to speak.

Marty Lehman, 306 Darton Drive, spoke in opposition to the request. He asked for clarification on the services that would be received. Mr. Lehman noted his opposition to conducting back to back public hearings at the same meeting, and asked when the City would be voting on annexation proceedings.

Mayor Olk explained that the City Council would be considering annexation proceedings at the November 16, 2017 City Council meeting.

Marvin Bobo, 600 Pool Lane, stated that he was also speaking on behalf of Scott Jones, the Homeowners Association President that could not be present. Mr. Bobo expressed concern relating to the tax increase that would occur in relation to the amount of services that would be received.

Amy Kinnard, 318 Darton Drive, stated that she was in favor of being annexed and wanted to pay for the City services that she received.

Mayor Olk read an email into the record received from Emily Parsons, Property Manager for Edgewood Estates, that stated the Board of Neighborhood Management, the company that manages the subdivision wanted the community to be annexed into the City.

There being no one else wishing to speak, the public hearing was closed at 8:01 pm.

Councilmember Fisher stated that she was opposed to holding two public hearings at the same meeting. Councilmember Fisher directed residents to the September 21, 2017 City Council packet that was available on the City of Lucas website. Councilmember Fisher explained that within the packet contained estimates for city taxes for each property in the extraterritorial jurisdiction areas, along with current water rates and extraterritorial jurisdiction surcharges for each property. Councilmember Fisher discussed the City's effective tax rate along with possible water rate increases from the North Texas Municipal Water District.

Mayor Pro Tem Peele stated that the City Council had made numerous attempts to meet with the Cimarron, Edgewood and Claremont Springs homeowner's associations to discuss annexation and how residents may be affected, and were able to meet with residents from Claremont Springs. Mayor Pro Tem Peele discussed the pros and cons of annexation with regards to fire and police services, taxes paid by Lucas residents for these services, and the unlikely feasibility of the extraterritorial jurisdiction areas obtaining contracts of their own for solid waste, law enforcement and fire and EMS services. Mayor Pro Tem Peele discussed the decision to consider annexing the Cimarron, Edgewood and Claremont Springs neighborhoods because of their central location within the City and the cost to the taxpayers of holding an election to consider annexing.

Councilmember Lawrence noted his opposition to holding two public hearings at the same meeting and believed that additional meetings should have been held for the residents to obtain and consider feedback. Councilmember Lawrence also did not agree with the short time frame in which information was disseminated.

Mayor Olk read from the meeting minutes of the September 21, 2017 City Council meeting where City Attorney Joe Gorfida informed the City Council of the timeframes in which meetings and public hearings would have to be held in order to meet the December 1 deadline.

This item was for discussion purposes only and no formal action was taken.

- 4. Second public hearing to consider the annexation of territory currently in the City's extraterritorial jurisdiction consisting of approximately 32.97 acres of land out of the Benjamin Sparks Survey, Abstract No. 813, in Collin County Texas, as described in volume 3928, page 145, and generally located on the east side of FM 1378, one-quarter mile north of the intersection of FM 1378 and W. Lucas Road (also commonly known**

as Cimarron Estates) and consisting of approximately 25 lots surrounding the City of Lucas, Texas.

Mayor Olk opened the public hearing at 8:22 pm. There being no one wishing to speak, the public hearing was closed.

Councilmember Lawrence asked that his comments be reflected from the first public hearing pertaining to if there was a discussion with residents that called the City, that street repairs within their subdivision would not occur immediately, and could be some time before any repairs would be incorporated into a street maintenance program.

There was no further discussion on this item, and no formal action was taken, as it was for discussion purposes only.

- 5. Second public hearing to consider the annexation of territory currently in the City's extraterritorial jurisdiction consisting of approximately 36.84 acres of land out of the James M. Snider Survey, Abstract No. 824, in Collin County, Texas, as described in volume 924, page 443, and generally located on the south side of Estates Parkway, one-half mile west of the intersection of Ingram Road and Estates Parkway (also commonly known as Claremont Springs, Phase 1) and consisting of approximately 24 lots, surrounding the City of Lucas, Texas.**

Mayor Olk opened the public hearing at 8:24 pm and asked if any members of the audience would like to speak regarding this item.

Ryan Hyde, 1823 Marchmont Drive, asked if there were other areas within the City that would be considered for annexation.

Mayor Olk stated that there would be no other areas to be considered for annexation. The vacant land located in the City's extraterritorial jurisdiction would be annexed once they were developed and annexation agreements were in place for that to occur.

Tom Belter, 1804 Desoto Court asked if the City decided to annex, when it would go into effect.

City Attorney Joe Gorfida stated should annexation be approved, it would be effective November 16, 2017.

There being no one else wishing to speak, Mayor Olk closed the public hearing at 8:29 pm.

Councilmember Lawrence asked that his comments be reflected from the first public hearing pertaining to if there was a discussion with residents that called the City, that street repairs within their subdivision would not occur immediately, and could be some time before any repairs would be incorporated into a street maintenance program.

This item was for discussion purposes only and no formal action was taken.

- 6. Second public hearing to consider the annexation of territory currently in the City's extraterritorial jurisdiction consisting of approximately 62.97 acres of land out of the Benjamin Sparks Survey, Abstract No. 813, in Collin County, Texas, as described in volume 549, page 333, and generally located on the north side of FM 1378, one-half**

mile east of the intersection of FM 1378 and W. Lucas Road (also commonly known as Edgewood Estates) and consisting of approximately 49 lots.

Mayor Olk opened the public hearing at 8:30 pm and asked if anyone in the audience would like to speak regarding this agenda item.

Amy Kinnard, 318 Darton, asked if there would be any changes to the deed of her property.

Mayor Olk stated that there would be no changes, the lot, block and subdivision would remain the same.

There being no one else wishing to speak, the public hearing was closed at 8:31pm.

Councilmember Lawrence asked that his comments be reflected from the first public hearing pertaining to if there was a discussion with residents that called the City, that street repairs within their subdivision would not occur immediately, and could be some time before any repairs would be incorporated into a street maintenance program.

This item was for discussion purposes only and no formal action was taken.

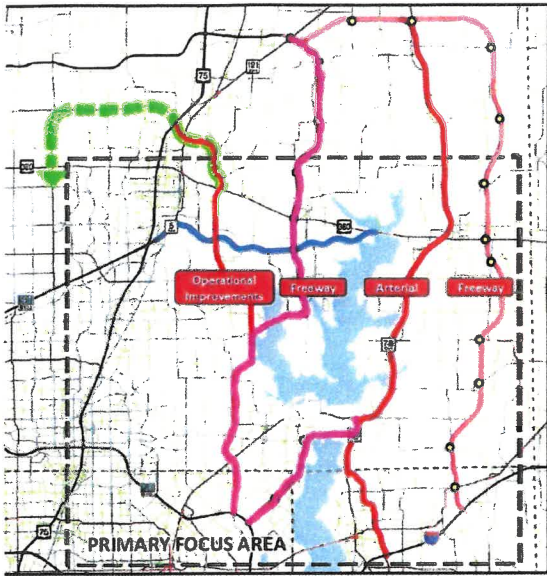
7. Consider proposed alternatives to the Collin County Strategic Roadway Plan proposed by the Town of St. Paul that utilizes alternate paths west of Lake Lavon.

City Manager Joni Clarke stated that Collin County wanted the Lucas City Council to have an opportunity to review the amendments proposed by the Town of St. Paul to the limited access roadways proposed as part of the Collin County Roadway Plan. Ms. Clarke stated that staff would provide Collin County with any necessary feedback.

Becky Bernardi, representing the Lavon Pro Corridor Freeway expressed her position in favor of maintaining a limited access roadway within the north-south corridor that assists with alleviating traffic from Highway 78. Ms. Bernardi discussed the traffic congestion around Lake Lavon and Highway 78 and stated that she was not in favor of the proposal by the Town of St. Paul.

Councilmember Fisher stated that the proposed amendment by the Town of St. Paul did not alleviate traffic on Highway 78. Councilmember Fisher stated that the plan submitted by the NCTCOG was a good proposal and she did not want to deter from the official position the City had chosen and voted upon.

Mayor Olk stated that he was not in favor of changing the City's position, nor in favor of what the Town of St. Paul had proposed.



MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Duke to oppose the proposed amendments to the Collin County Roadway Plan outlined in fuchsia proposed by the Town of St. Paul. The motion to deny passed unanimously by a 6 to 0 vote.

Executive Session

8. Executive Session.

The City Council did not hold an Executive Session during this meeting.

9. Adjournment.

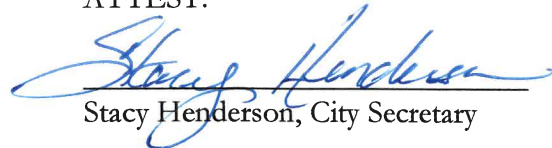
MOTION: A motion was made by Councilmember Millsap, seconded by Councilmember Lawrence to adjourn the meeting at 8:49 pm. The motion passed unanimously by a 6 to 0 vote.

APPROVED:



Jim Olk, Mayor

ATTEST:



Stacy Henderson, City Secretary

