



City of Lucas  
City Council Meeting  
January 4, 2018  
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 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  
Fire Chief Ted Stephens

**City Councilmember Absent:**

Councilmember Wayne Millsap

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

**Citizen Input**

**1. Citizen Input.**

There was no citizen input at this meeting.

**Community Interest**

**2. Community Interest.**

Mayor Olk reminded those in attendance that the City's annual Founders Day event would be held on April 14, 2018. Mayor Pro Tem Peele also noted that the City was accepting stick horse donations for the stick horse rodeo event part of Founders Day.

City Manager Joni Clarke stated that Public Works Director/City Engineer Stanton Foerster would be returning to work on January 15.

Mayor Olk noted that filing would begin January 17 through February 16 for the three City Council positions set to be on the ballot in the May 5, 2018 general election. Applications will be accepted in the City Secretary's office.

## Regular Agenda

### **3. Discuss and provide direction regarding the regulation of short-term rentals within the City of Lucas.**

City Attorney Joe Gorfida discussed short-term rentals, their definition and websites that promote short-term rentals such as Airbnb, VRBO, FlipKey and HomeAway. Mr. Gorfida explained the challenges associated with short-term rentals, such as noise, parking, safety and location. He also discussed what other cities were doing to find a solution to these challenges, and what regulations could be enacted to control where and how short-term rentals operate. Mr. Gorfida explained that some regulatory solutions included permitting and licensing short-term rentals, limiting the number of occupants, strict noise and parking regulations, and zoning that limits the area where short-term rentals could be located. Mr. Gorfida also discussed current lawsuits other cities were facing from homeowners that claimed it was unconstitutional to dictate how their home could be used. Mr. Gorfida advised that it would be best to wait until the lawsuits were settled before putting in place any regulations.

The Council discussed whether it would be helpful to have regulations in place that could address issues associated with short-term rentals. They also discussed the undesirable elements short-term rentals bring to a neighborhood.

City Attorney Joe Gorfida discussed the difficulties associated with determining who may be living in a home or visiting. He also discussed the existing regulations the City has in place to manage items such as noise and parking.

The City Council was in agreement to continue to monitor short-term rental activity within the City, and bring this item back for further discussion if and when it was warranted.

### **4. Consider the funding for various elements of the Stinson Road/W. Lucas Road intersection and/or the Edgewood Drive to Stinson Road connection through the Bedell/Gipson tract and give the City Manager direction on the same.**

City Manager Joni Clarke stated that an agreement had been entered into with Birkhoff, Hendricks, and Carter Engineers to redesign the Stinson Road and W. Lucas Road intersection. Ms. Clarke noted that due to the numerous accidents and complaints received at this location, staff was asking to fund the safety items first to include the intersection widening and culvert portion only in the amount of \$245,000. No additional lane would be added at this time. Ms. Clarke noted that the City's Thoroughfare Plan calls for the to be responsible the connection to Stinson Road at the Bedell/Gipson tract; however, staff was unable at this time to determine when and if that tract will be developed, and believed the safety items should be addressed first.

Joe Carter with Birkhoff, Hendricks & Carter Engineers stated it was difficult for larger vehicles to maneuver through this intersection currently. Mr. Carter stated that TxDOT has reviewed the design plans and asked that one minor item be addressed. Mr. Carter stated that one easement needs to be acquired and once these items were addressed and the project was funded, construction could begin.

**MOTION:** A motion was made by Councilmember Fisher, seconded by Councilmember Lawrence to direct staff to proceed with the Stinson Road widening culvert expansion only in the amount of \$245,000. The motion passed unanimously by a 6 to 0 vote.

**5. Consider Ordinance No. 2014-12-00803 Amending Code of Ordinance Chapter 1, Article 1.09, Parks and Recreation regarding:**

- a) Composition of Park and Opens Space Board, qualification of members, regular meetings and quorum, election of officers, and filling of two alternate positions;
- b) Duties of Parks and Open Space Board; and
- c) Review of Park Rules and Prohibited Conduct in Parks.

City Manager Joni Clarke stated that the Parks Board had gone through an extensive process of creating specific goals and tasks and assigning a Parks Board member to each goal. Ms. Clarke stated that a year long planning calendar has been created aligning those tasks and goals to quarterly meetings that have been set.

Councilmember Baney stated that the Parks Board was on tract to their assigned goals and responsibilities and was in favor of quarterly meetings with the option for the Chairman to call additional meetings if needed.

The City Council thanked the Parks Board for their dedication, volunteerism and service.

**MOTION:** A motion was made by Councilmember Baney, seconded by Councilmember Lawrence to appoint Tommy DeWitt as Alternate Member 1 to the Parks and Open Space Board and Debra Guillemaud as Alternate Member 2 to the Parks and Open Space Board. The motion passed unanimously by a 6 to 0 vote.

<b>Executive Session</b>
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**6. Executive Session:**

- A. The City Council will convene into Executive Session as permitted under the Texas Government Code, Section 551.074, Personnel Matters, to discuss Board of Adjustment appointments.
- B. The City Council will convene into Executive Session as permitted under the Texas Government Code, Section 551.071, Consultation with Attorney, to seek legal advice from the City Attorney regarding GT Construction and the White Rock Trail project.

The City Council convened into Executive Session at 8:08 pm to discuss the above-mentioned items.

**7. Reconvene into open session and take any action necessary as a result of the Executive Session.**

The City Council reconvened into open session at 8:29 pm and took the following action as a result of the Executive Session:

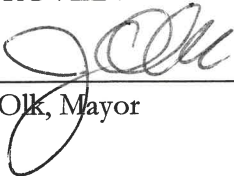
**MOTION:** A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Fisher to promote James Foster to a regular member position on the Board of Adjustment and appoint Brenda Rizo as Alternate Member 2 to the Board of Adjustment. The motion passed unanimously by a 6 to 0 vote.

**MOTION:** A motion was made by Councilmember Duke, seconded by Councilmember Lawrence to authorize the City Manager to execute the Compromise Settlement Agreement and Release with GT Construction and appropriate \$79,300 from unrestricted general fund reserves and amend the fiscal year 17/18 budget line item 11-8209-301 roadway improvements. The motion passed unanimously by a 6 to 0 vote.


**8. Adjournment**

**MOTION:** A motion was made by Councilmember Fisher, seconded by Councilmember Duke to adjourn the meeting at 8:31 pm. The motion passed unanimously by a 6 to 0 vote.

APPROVED:

  
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Jim Olk, Mayor

ATTEST:

  
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Stacy Henderson, City Secretary

