



**City of Lucas
City Council Meeting
September 6, 2018
7:05 P.M.**

(or immediately following the Lucas Fire Control, Prevention and EMS District Meeting)
City Hall - 665 Country Club Road – Lucas Texas

MINUTES

Call to Order

Mayor Olk called the meeting to order at 7:02 p.m.

City Councilmembers Present:

Mayor Jim Olk
Mayor Pro Tem Kathleen Peele
Councilmember Wayne Millsap
Councilmember Tim Baney *(arrived at 7:17 pm)*
Councilmember Steve Duke
Councilmember Debbie Fisher
Councilmember Philip Lawrence

Staff Present:

City Manager Joni Clarke
City Secretary Stacy Henderson
City Attorney Joe Gorfida
Development Services Director Joe Hilbourn
City Engineer Stanton Foerster
Fire Chief Ted Stephens

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.

Paul Rathgeb, 10 Rollingwood Drive, Lucas thanked the City Council and staff for their efforts related to various road improvements that had been made in the City and holding contractors accountable for their work.

Community Interest

2. Community Interest.

There were no Community Interest items discussed.

Consent Agenda

3. Consent Agenda.

- A. Approval of the minutes of the August 16, 2018 City Council meeting.

- B. Consider approving Resolution R-2018-09-00471 authorizing the Mayor to enter into an Interlocal Agreement between the City of Lucas and Collin County for On-Site Sewage Facility (OSSF) regulations for a period of four years ending September 30, 2022.

MOTION: A motion was made by Councilmember Millsap, seconded by Mayor Pro Tem Peele to approve the Consent Agenda as presented. The motion passed unanimously by a 6 to 0 vote.

Mayor Olk suggested the City Council convene into Executive Session to discuss Executive Session Agenda Item 9C that may affect the fiscal year 2018-2019 budget discussions.

The City Council moved to Executive Session Item 9C on the agenda at this time.

9C. Pursuant to Section 551.071 of the Texas Government Code, the City Council will convene into Executive Session to seek legal advice from the City Attorney regarding the terms of the Settlement Agreement and Release with Lavon 593 Land Investment Partners, LP effective September 17, 2009.

The City Council convened into Executive Session at 7:08 pm.

Councilmember Baney arrived at the City Council meeting at 7:17 pm and went into Executive Session.

The City Council reconvened from Executive Session at 7:35 pm and no action was taken as part of the Executive Session.

The City Council returned to Agenda Item No. 4.

Public Hearing Agenda

4. Public hearing to consider the budget for Fiscal Year 2018-2019.

Mayor Olk opened the public hearing at 7:36 pm, there being no one wishing to speak regarding the budget, the public hearing was closed.

Mayor Pro Tem Peele directed staff to adjust the revenues projected in the fiscal year 2018-2019 budget by reducing the license permitting and fee revenue by \$240,000.

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

Regular Agenda

5. Consider the request by residents of Kirkland Estates to install a left turn lane along Parker Road during the construction and widening of Parker Road.

City Engineer Stanton Foerster provided some background related to this item explaining that an agenda item was brought forward in 2016 regarding approaching TxDOT to add an eastbound turn lane onto Cimarron Trail during the construction phase of widening Parker Road. The turn lane was

estimated at that time to cost between \$50,000 to \$70,000 to construct. Mr. Foerster noted that he did not recommend a turn lane and the City Council voted to not fund a turn lane at that time. Mr. Foerster stated that the Parker Road project was complete; however, TxDOT has stated that a turn lane could be added, but at an increased cost than originally proposed in the amount of approximately \$200,000 to \$240,000.

Councilmember Fisher asked how long it would take for the turn lane to be added if the City waited until construction was complete on Parker Road.

Mr. Foerster stated that should the City wait until construction was completed on Parker Road, the turn lane would not be added for approximately three years.

The City Council discussed funds needed to provide a turn lane, working with TxDOT on obtaining approval for the project, the length of lane needed for deceleration, and the number of homes affected within Kirkland Estates.

Mayor Olk called the following individuals forward that requested to speak.

Jeffrey Butcher, 7 Chisholm Trail, did not come forward to speak but noted that he was in support of adding a turn lane onto Cimarron Trail.

Jordan Hendrix, 13 Cimarron Trail, discussed the traffic congestion from McCreary and trying to exit from Santa Fe Trail that was also difficult. Mr. Hendrix stated that a turn lane was needed to ease congestion in the area and assist with traffic flow from the neighborhood.

Jerry Filippo, 10 Chisholm Trail discussed the dangers associated with traffic flow and congestion with one ingress and egress from McCreary Road. Mr. Filippo discussed the difficulty with horse trailers trying to maneuver in the area and was in support of having a turn lane onto Cimarron Trail.

Debbie Wickuire, 9 Chisholm Trail, discussed her difficulties with maneuvering her horse trailer through traffic that often required a U-turn to get into and out of the neighborhood because there was no dedicated left turn lane. Ms. Wickuire stated that she was in favor of adding a left turn lane onto Cimarron Trail.

Hunter Harrison, 8 Chisholm Trail, noted that he was in favor of a turn lane onto Cimarron Trail.

Scott Reed, 12 Chisholm Trail discussed traffic concerns traveling on Cimarron Trail and turning onto Santa Fe Trail. Mr. Reed noted he was in favor of adding a turn lane.

Nicki Reed, 12 Chisholm Trail discussed concerns with maneuvering her horse trailer and stated that she was in favor adding a turn lane onto Cimarron Trail.

Harold Freshcoln, 4 Cimarron Trail, discussed the ways in which he had to maneuver through neighborhoods to get to his home because there was no dedicated turn lane into the neighborhood. Mr. Freshcoln stated that he was concerned that emergency vehicles would not have adequate response times to their neighborhood due to the limited access.

The City Council discussed their concerns related to emergency vehicle access to the neighborhood with the lack of median cuts on Parker Road. The City Council also discussed the need for actual cost estimates from TxDOT in order to make an informed decision.

Mayor Olk asked Mr. Foerster to contact TxDOT regarding a price estimate for the construction of a left turn lane onto Cimarron Trail and bring the information back to Council once received.

There was no formal action taken on this item.

6. Discuss the proposed City of Lucas Property Tax Rate for Fiscal Year 2018-2019.

City Manager Joni Clarke stated that the budget was prepared with the effective tax rate of \$.303216 which is what was published in the newspaper. Ms. Clarke explained that the tax rate can go lower but cannot go higher than what was advertised.

Mayor Pro Tem Peele stated that it was not feasible to lower the tax rate any further due to the reduction made to the license permit and fee revenues.

Councilmember Millsap noted that the City needs to be cautious with the tax rate and how infrastructure would be funded for the future.

Mayor Olk called the following individuals forward that requested to speak.

Jamie Kilpatrick, 580 Saddlebrook noted that funds needed to be spent on repairing roadways and with the minimal amount of taxes that were being decreased, he felt that those additional funds could be spent towards needed road repairs.

Paul Rathgeb, 10 Rollingwood Drive, noted that repairs were needed to the roadways and if taxes needed to be raised in order to fund that cost he was in favor of raising the tax amount.

MOTION: A motion was made by Councilmember Millsap, seconded by Councilmember Baney to direct the City Manager to prepare ordinances for adoption of the tax rate using the effective rate of \$.303216. The motion passed by a 6 to 1 vote with Councilmember Fisher voting in opposition.

7. Discuss the upcoming 86th Legislature of the State of Texas beginning January 8, 2019 and advocacy of the following proposed legislation:

- A. Texas Emergency Services Retirement System (TESRS)**
- B. Tax Revenue Cap**
- C. Billboard Height**

Agenda Item 7A:

Councilmember Fisher discussed the letter written by the Lucas Volunteer Firefighter Pension Board outlining the City's position with TESRS and the City's inability to remove itself from the system due to not opting out of the program in 2005. Councilmember Fisher discussed the number of volunteers in the program along with monthly contributions.

Larry Bowman, Chairman of the Lucas Volunteer Firefighter Pension Board discussed the history of the TESRS plan and stated that the Board would assist the City Council with any item needed during the upcoming legislative session.

The City Council discussed various ways in which to draft correspondence to be presented during the legislative session that would allow the City to remove itself from the program.

Mayor Olk summarized discussions that the City Council agreed with the Lucas Volunteer Firefighter Pension Board and that the City and Board should seek a remedy that would allow Lucas to discontinue its participation in TESRS. Mayor Olk also noted that should any Councilmember attend and speak during the legislative session; the City Council would support any legislation that would allow the City to be removed from the TESRS program.

Agenda Item 7B:

Frank Prokop, 1890 Sawmill, stated that he was in favor of having a tax revenue cap to limit the amount of property tax owed.

Mayor Olk discussed tax revenue caps and the percentage of revenue that cannot be exceeded before the citizens have a right to petition to set the rate back.

Diane Redman, 1930 Mary Lee Lane, explained that she was in favor of revenue caps and keeping the tax rate low. Ms. Redman noted that having a revenue cap ensures a mechanism was in place to maintain the tax rate.

Brenda Rizos, 1200 Winningkoff, stated that she supported tax revenue caps to ensure that governing bodies were appropriately using funds.

Joe Estes, 1 Highland Circle, stated that he was in favor of having tax revenue caps and he also supported the City lobbying the State to include school districts as part of the revenue cap.

Peggy Rusterholtz, 215 W. Blondy Jhune noted that she was in favor of tax revenue caps and hoped that school districts could be incorporated into the cap as well.

Tim Johnson, 2175 Toole Drive stated that he was in favor of a tax revenue cap up to 5 percent, but also wanted to be cautious so that the City did not create a hardship for itself.

The City Council discussed tax revenue caps and the ability to also budget adequate funds for the City's operating budget. It was the consensus of the City Council to support revenue caps that apply to all taxing entities with an exemption for disaster situations. The City Council expressed concern regarding a cap that was too restrictive that may create a negative financial impact.

Agenda Item 7C:

Peggy Rusterholtz, 215 W. Blondy Jhune stated that she was in favor of limiting billboard heights to its current maximum height of 42.5 feet.

The consensus of the City Council was to encourage the Texas Transportation Commission to maintain the existing billboard height of 42.5 feet and directed City Staff to prepare a resolution for the October 4, 2018 City Council meeting to address this issue.

There was no formal action taken on this item.

8. Consider casting votes on the ballot to the Texas Municipal League Intergovernmental Risk Pool Board of Trustees, Places 11 through 14 election.

A motion was made by Mayor Olk, seconded by Councilmember Lawrence to cast a vote for the following individuals to the Texas Municipal League Intergovernmental Risk Pool Board of Trustees:

Randy Criswell, Place 11
Bert Lumbreras, Place 12
Byron Black, Place 13
David Rutledge, Place 14

The motion passed unanimously by a 7 to 0 vote.

Executive Session Agenda

9. Executive Session:

- A. Pursuant to Section 551.074 of the Texas Government Code, the City Council will convene into Executive Session to discuss the evaluation for the City Secretary.
- B. Pursuant to Section 551.074 of the Texas Government Code, the City Council will convene into Executive Session to discuss the evaluation for the City Manager.

The City Council convened into Executive Session at 9:42 pm to discuss Agenda Items 9A and 9B.

10. Reconvene into Regular Session and take any action as a result of the Executive Session.

The City Council reconvened from Executive Session at 10:09 pm and there was no action necessary as a result of the Executive Session. Mayor Olk announced that Agenda Item 9B would be discussed at the September 20, 2018 City Council meeting.

11. Adjournment.

MOTION: A motion was made by Councilmember Millsap, seconded by Councilmember Duke to adjourn the meeting at 10:09pm. The motion passed unanimously by a 7 to 0 vote.

APPROVED:

ATTEST:



Jim Olk, Mayor



Stacy Henderson, City Secretary

