



City of Lucas  
City Council Meeting  
February 7, 2019  
7:00 P.M.

City Hall - 665 Country Club Road – Lucas Texas

## MINUTES

### Call to Order

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

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**City Councilmembers Present:**

Mayor Jim Olk  
Mayor Pro Tem Kathleen Peele  
Councilmember Wayne Millsap  
Councilmember Tim Baney (*arrived at 8:54pm*)  
Councilmember Steve Duke  
Councilmember Philip Lawrence  
Councilmember Debbie Fisher

**Staff Present:**

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

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**1. Citizen Input.**

There was no citizen input at this meeting.

### Community Interest

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**2. Community Interest.**

A. Presentation of Proclamation celebrating the City of Lucas' 60<sup>th</sup> Anniversary.

Mayor Olk read into the record the Proclamation celebrating the City of Lucas' 60<sup>th</sup> Anniversary.

B. Discuss pending legislation that is being considered by the 86th Legislature and provide guidance to City Staff and City Attorney.

Councilmember Fisher encouraged citizens to go online to view the legislative meetings that are being livestreamed.

Mayor Olk discussed other items of community interest stating that the City would be hosting an open house on February 19, 2019 celebrating the City's 60<sup>th</sup> anniversary from 5-7 pm. Mayor Olk

noted that the Texas Trash Off cleanup event was scheduled for April 6, 2019, and candidate filing for the May 4, 2019 election was taking place through February 15 with applications available at City Hall, also on the ballot was the continuation of the Fire District for a 10 year commitment.

Councilmember Fisher asked for an update regarding the intersection improvements proposed by TxDOT for the Country Club/Estates Parkway intersection. Mr. Foerster stated that he had received plans from TxDOT, but no start date was indicated.

Mayor Olk asked that this item be placed on the February 21, 2019 agenda for further update and discussion.

Mayor Pro Tem Peele discussed Founders Day and the stick horse rodeo event, noting that stick horse donations were always accepted, and encouraged residents to participate and enjoy the annual event.

## **Consent Agenda**

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### **3. Consent Agenda.**

- A. Approval of the minutes of the January 17, 2019 City Council meeting.
- B. Consider adopting Ordinance 2019-02-00888 ordering a General Election to be held on May 4, 2019, for the purpose of electing two (2) City Councilmembers for Seat No. 5 and Seat No. 6; designating location of polling place; ordering notice of election to be given as prescribed by law in connection with such election; authorizing execution of joint election agreement; and providing for an effective date.
- C. Consider adopting Ordinance 2019-02-00889 ordering a Special Election to be held on May 4, 2019, for the purpose of whether the City of Lucas Fire Control, Prevention and Emergency Medical Services District should be continued for 10 years, and the Fire Control, Prevention and Emergency Medical Services District sales tax should be continued for 10 years; designating location of polling place; ordering notice of election to be given as prescribed by law in connection with such election; authorizing execution of joint election agreement; and providing for an effective date.

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

## **Regular Agenda**

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### **4. Consider the request by Anita Ahmadi of 2540 W McGarity Lane to install a gate on Allison Lane.**

Anita Ahmadi, 2540 McGarity Lane, stated that she would like to add a utility gate at the entrance of Allison Lane to prevent vehicles from accessing her driveway when attempting to get to the surrounding commercial areas. Ms. Ahmadi stated that the road has been damaged by construction vehicles using Allison Lane as a pass through to get to the commercial properties that were under

construction and is now barely drivable. Ms. Ahmadi stated that she needed to repair the roadway, but didn't want to invest funds if vehicles would be continually using her driveway.

Mayor Olk asked if Allison Lane was a public access easement.

Stanton Foerster, City Engineer, stated that the City owns the right of way, but Ms. Ahmadi has access rights to a nonexclusive easement that has been dedicated as public right of way for a future roadway. Mr. Foerster stated that it is a driveway, but referred to as Allison Lane. He also explained that when the Fox Glen development next to Ms. Ahmadi's property was developed, a 40-foot public right of way was dedicated. This was the only access to Ms. Ahmadi's property.

Mayor Pro Tem Peele asked if there was any signage on the road indicating it was not a through street.

Mr. Foerster stated that dead-end signs are posted in the area.

Mayor Pro Tem Peele expressed her concern regarding gating off a public access roadway and asked how many businesses would be affected if the gate was installed.

Ms. Ahmadi stated that Allison Lane does not access any of the commercial properties; therefore, no businesses would be affected by the gate installation.

Mayor Olk stated that he was not in favor of installing a gate on a public access roadway, but asked why right of way the City owned was not being maintained.

The City Council discussed various ways in which to divert traffic, and whether the City should be maintaining this roadway. The City Council also discussed placement of the gate at a location further down Allison Lane along an emergency access opening. The City Council questioned whether fire-rescue vehicles could handle the turning radius onto Allison Lane with a gate in place.

Mayor Olk stated that he was not comfortable with closing off Allison Lane along with maintaining the roadway without having public access.

Councilmember Millsap stated that he was in support of the installation of gate at Allison Lane at the owners expense, and the City would maintain the roadway north of the gate.

Fire Chief Ted Stephens stated that it was the Fire-Rescue Department's policy that their fire engine not travel on gravel roads due to the size of their engine. Chief Stephens stated that they would do everything possible to reach the home, but cannot guarantee that fire vehicles would be able to reach the residence.

The City Council requested to table this item to gather additional information from the Fire Chief and City Engineer on costs associated with road maintenance and fire-rescue access to the area.

- 5. Discuss and authorize the City Manager to negotiate and proceed with agreements in an amount not to exceed \$166,000 plus \$34,000 in contingency for a total of \$200,000 with the 1) Texas Department of Transportation and 2) Birkhoff, Hendricks & Carter, LLP for the construction of a median opening on Parker Road to provide for an eastbound left turn to northbound Cimarron Trail and to fund the agreements using the General Fund Reserve Account.**

Joe Ferdo, 6 Cimarron Trail stated that he was in support of a turn lane, but would like the turn lane to provide access traveling from both directions. Mr. Ferdo noted that without a turn lane with access in both directions, vehicles would be required to drive past the neighborhood and turn around depending on which direction they are traveling, as well as not having access for Fire-Rescue apparatus.

Casey Hendrix, 13 Cimarron Trail spoke in favor of the turn lane providing better access to the neighborhood and access fire Fire-Rescue.

Shayne Pemberton, 1 Chisholm Trail, stated that he was in favor of the turn lane providing better access to the neighborhood.

Councilmember Fisher read into the record an email received from Bill Fogg, 15 Cimarron Trail in support of the turn lane from Parker Road.

Mayor Pro Tem Peele thanked residents for coming out to speak regarding the impact the expansion of Parker Road has had on their neighborhood.

Councilmember Fisher stated there were safety concerns associated with not providing a turn lane from Parker Road and she was in support of the request.

**MOTION:** A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Fisher to authorize the City Manager to negotiate and proceed with agreements in an amount not to exceed \$166,000 plus \$34,000 in contingency for a total of \$200,000 with the 1) Texas Department of Transportation and 2) Birkhoff, Hendricks & Carter, LLP for the construction of a median opening on Parker Road to provide for an eastbound left turn to northbound Cimarron Trail and to fund the agreements using the General Fund Reserve Account. The motion passed unanimously by a 6 to 0 vote.

**6. Consider approval of the Amended Restated Development Agreement between the City of Lucas and Brockdale Community, LLC to fund future road improvements to Brockdale Park Road.**

Development Services Director Joe Hilbourn explained that the original agreement entered into allotted for a \$2,200 road assessment fee for each building permit issued to be used towards improvements to Brockdale Park Road. Road improvements would occur when 75 percent of the permits for the subdivision had been issued. Due to the length of time it had taken for the subdivision to be built out, the proposed amended restated agreement changes the amount to \$4,400 for Phases three and four of the subdivision to assist in offsetting rising costs for road improvements.

Mayor Pro Tem Peele discussed her concerns related to the time it takes for larger developments to complete construction and the projected unknown costs associated with road repairs.

Mayor Olk explained that the development agreement and associated impact fees collected assist in maintaining the roadway, and he was pleased that the development agreement addressed repairing Brockdale Park Road, and not just the entrance to the Hillwood development.

Patrick Cowden, 3000 Turtle Creek, Dallas, representing Hillwood Development stated he was available to answer any questions.

**MOTION:** A motion was made by Councilmember Millsap, seconded by Councilmember Lawrence to approve the Amended Restated Development Agreement between the City of Lucas and Brockdale Community, LLC to fund future road improvements to Brockdale Park Road. The motion passed unanimously by a 6 to 0 vote.

Due to the number of residents waiting to speak, Mayor Olk moved to Agenda Item No. 8 at this time.

**8. Consider and provide direction to the City Manager to request proposals for drainage studies/projects as identified by the City Engineer and evaluate possible funding strategies for the following areas: Lemontree Country Estates, Kingswood Estates, Meadows, and the headwaters of Muddy Creek.**

City Engineer Stanton Foerster stated that City staff was requesting to move forward with a drainage study for the Lemontree Country Estates, Kingswood Estates, Meadows, and the headwaters of Muddy Creek area. Mr. Foerster stated that the study would identify where drainage occurs and how well the area was draining.

City Manager Joni Clarke explained that drainage was a common concern brought to staff looking for support, and these particular areas have had concerns. Mr. Clarke stated that once the study was complete, a priority list could be created.

The City Council discussed drainage in the areas of Kingswood, Lemontree and other areas of the City and various ways in which to conduct a drainage study.

Jim Lannucci, 9 Kingswood, stated he was in support of the proposal and encouraged expansion of the study to include the entire City. Mr. Lannucci stated that he now has water that constantly comes up from underground, and stated that it was no longer just a surface issue with drainage.

Larry Mahlberg, 2 Cimarron Trail, stated that the City has a problem with flooding and suggested the Corp of Engineers get involved that could possibly provide some grant funding for a study or project.

Paula Carvalho, 5 Kingswood, stated that she was in support of the study, and noted that she has had standing water on her property for three months that will not drain.

Mayor Olk read into the record a letter received from Fred and Lori Davis of 7 Kingswood, and an email received from Paul Sobczak of Lemontree Estates in favor of the study due to the drainage issues on their property and in their neighborhood.

Becky Ospina, 11 Kingwood spoke in support of the study due to the damage she was experiencing on her property with standing water that created contamination issues and mosquito breeding.

Mayor Olk noted that his property backed up to Lemontree Estates and was within the study area, but was not considered in conflict with this agenda item and could participate in the discussion. Mayor Olk noted that he was in support of the drainage study focusing on certain areas of the City



first then possibly expanding. The study would also assist developers building in the City with accounting for appropriate drainage when grading and developing their property.

Councilmember Lawrence stated that he also lived in Lemontree Estates and understood the concerns of the neighborhood and the need for a drainage study to be conducted.

**MOTION:** A motion was made by Councilmember Millsap, seconded by Mayor Pro Tem Peele to approve moving forward with a drainage study and evaluate possible funding strategies for the Lemontree Country Estates and Kingswood Estates. The motion passed unanimously by a 6 to 0 vote.

Mayor Olk moved back to Agenda Item No. 7.

**7. Consider and provide direction to the City Manager regarding future water reconstruction projects as identified in the City's Capital Improvement Plan and by the City Engineer and evaluate possible funding strategies.**

City Engineer Stanton Foerster discussed future water reconstruction projects that were identified in the Capital Improvement Plan, but not funded. Mr. Foerster recommended future funding of the following design projects:

1. Waterline Looping \$200,000
2. Rollingwood Circle/Choice Lane/Lakeview Drive Six-Inch Waterline Loop (97 homes) \$432,165
3. Edgewood Lane/W. Lucas Road and Cedar Bend Trail/E. Lucas Road Six-Inch Waterline Loops (32 homes) \$113,530
4. Graham Lane/Rock Ridge Court Eight-Inch Waterline Loop (34 homes) \$571,775

Councilmember Fisher asked if these projects would be funded through the Water Fund account.

City Manager Joni Clarke stated that staff was requesting to move forward with requesting proposals for design, no funding was needed at this time. City staff would be meeting with the City's Financial Advisor and wanted to be able to prepare for future funding strategies in this area.

**MOTION:** A motion was made by Councilmember Fisher, seconded by Mayor Pro Tem Peele to approve authorizing the City Manager to proceed with requesting proposals for the design of the following CIP projects. The motion passed unanimously by a 7 to 0 vote.

- Waterline looping
- Rollingwood Circle/Choice Lane/Lakeview Drive six-inch waterline loop
- Edgewood Lane/West Lucas Road and Cedar Bend Trail/East Lucas Road six-inch waterline loops
- Graham Lane/Rock Ridge Court eight-inch waterline loop

**9. Consider nominations for the 2019 Service Tree Award Program.**

Councilmember Fisher stated that the Service Tree Subcommittee met and nominated Mrs. Lee Ford and Peggy Rusterholtz as Service Tree recipients for their many contributions to the City and community.

**MOTION:** A motion was made by Councilmember Fisher, seconded by Councilmember Duke to approve Mrs. Lee Ford and Peggy Rusterholtz as Service Tree recipients for 2019. The motion passed unanimously by a 7 to 0 vote.

**10. Review Articles I and II of the City Charter and provide direction to the City Attorney regarding any proposed amendments to be considered as part of a Charter update.**

City Attorney Joe Gorfida stated that from a legal standpoint, there were no items that needed to be amended in Articles I and II of the Home Rule Charter. There were some provisions that needed to be updated relating to when the original charter was adopted, but nothing that conflicted with State law.

The City Council had no suggested changes for Articles I and II of the Home Rule Charter.

**11. Consider appointing a Grand Marshal for the 2019 Founders Day Parade.**

Councilmember Fisher noted that Representative Candy Noble had been attentive to the community and nominated Representative Noble as the Grand Marshal for Founders Day.

Mayor Olk asked City staff to extend an invitation to Representative Noble.

**12. Consider approving Resolution R 2019-02-00479 accepting the voluntary annexation petition submitted by Cary L. and Sharon C. Cobb for a tract of land located in the Montgomery Birch Survey, Abstract A0115, Tract 19, being all of 10.696 acres of land, otherwise known as 2020 East Lucas Road.**

Development Services Director Joe Hilbourn stated that the property owner had submitted for voluntary annexation as part of the development agreement. Mr. Hilbourn noted that a new State law requires the Council to formally accept the voluntary annexation application.

**MOTION:** A motion was made by Councilmember Fisher, seconded by Mayor Pro Tem Peele, to approve Resolution R 2019-02-00479 accepting the voluntary annexation petition submitted by Cary L. and Sharon C. Cobb for a tract of land located in the Montgomery Birch Survey, Abstract A0115, Tract 19, being all of 10.696 acres of land, otherwise known as 2020 East Lucas Road. The motion passed unanimously by a 7 to 0 vote.

**13. Discuss future transportation projects, the 2018 Collin County Bond Program and Park and Open Space funding with Collin County Commissioner Darrell Hale.**

Mayor Pro Tem Peele stated that the meeting should focus on larger items, such as the intersection near Southview and East Lucas Road, where land was purchased between the City and County to make improvements to the area, as well as the future project of Stinson Road.

Councilmember Fisher also noted that the development in the City of Branch with 2,100 homes being proposed would have a negative impact on traffic in the area and should be added to the list of topics for discussion.

The City Council discussed traffic concerns through the community and the difference in the City's Thoroughfare Plan and the County's Thoroughfare Plan. The City Council also wanted to add to the topics of discussion the status of West Lucas Road in the County's bond program.

### **Executive Session Agenda**

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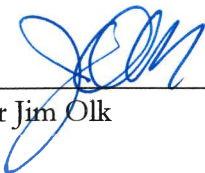
**14. Executive Session.**

An Executive Session was not held at this meeting.

**15. Adjournment.**

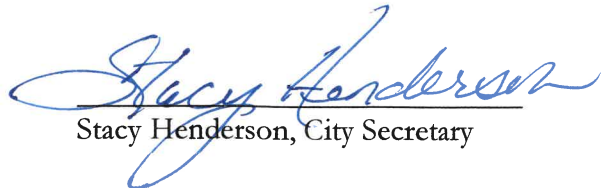
**MOTION:** A motion was made by Councilmember Millsap, seconded by Mayor Olk to adjourn the meeting at 9:20 pm. The motion passed unanimously by a 7 to 0 vote.

APPROVED:



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Mayor Jim Olk

ATTEST:



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Stacy Henderson, City Secretary

