



**City of Lucas
City Council Meeting
May 16, 2019
7:00 P.M.**

City Hall - 665 Country Club Road – Lucas Texas

MINUTES

Call to Order

Mayor Olk called the meeting to order at 7:01 p.m.

City Councilmembers Present:

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

Staff Present:

City Manager Joni Clarke
Assistant to the City Manager Kent Souriyasak
City Attorney Joe Gorfida
Development Services Director Joe Hilbourn
City Engineer Stanton Foerster

City Councilmembers 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.

Conduct Oath of Office

- 1. Administer the Oath of Office to incoming candidates, Councilmember Debbie Fisher, Seat 5 and Mayor Pro Tem Kathleen Peele, Seat 6.**

City Attorney Joe Gorfida administered the Oath of Office to incoming candidates, Councilmember Debbie Fisher, Seat 5 and Mayor Pro Tem Kathleen Peele, Seat 6.

Citizen Input

- 2. Citizen Input.**

Ed Fisher, 1015 Country Club Road, expressed his concern regarding aircraft noise over Lucas and noted that he had contacted the McKinney Airport who indicated that they would look into the issue and also suggested he contact TRACON who was in-charge of air space over the entire area of Lucas. Mr. Fisher suggested to the airport that aircrafts travel over the lake rather than over homes to not disrupt the residential quality of life. Mr. Fisher indicated that he has still not heard from TRACON and explained that McKinney Airport wants to expand their runways to increase flights and heavy fuel jets and this type of operation would not be good for the Lucas community. Mr. Fisher suggested a citizen advisory committee be formed to address the issue.

Mayor Olk stated that he would provide an update on this item during the Community Interest portion of the agenda.

Community Interest

3. Items of Community Interest.

- A. Presentation of Proclamation to the Blacksheep Motorcycle Club for Motorcycle Safety and Awareness Month.

Mayor Olk presented the Proclamation for Motorcycle Safety and Awareness Month and noted that since the Blacksheep Motorcycle Club was not in attendance to receive the Proclamation, a copy would be forwarded to them.

- B. Report from Mayor Olk regarding meeting with Congressman Van Taylor.

Mayor Olk and City Manager Joni Clarke met with Congressman Van Taylor to discuss items related to transportation, airport and aircraft noise. Congressman Taylor explained that McKinney Airport would like to expand from 7,000 to 11,000 feet and a public hearing would be required before any expansion occurs. Mayor Olk indicated that he would contact the Mayor of McKinney to inform him that City representatives would be in attendance at the public hearing to discuss diverting flights to areas less populated.

Mayor Olk also mentioned other discussion topics from the meeting such as the park system, transportation, water and drainage issues, and grants to assist the City. City Manager Joni Clarke was awaiting a response from Congressman Van Taylor's office for more information on how to assist the City.

- C. Discuss HB 281 introduced in the 86th Legislative Session relating to the use by a political subdivision of public money for lobbying activities including participation in lobbying organizations and provide guidance to City Staff.

Mayor Olk indicated that the hearing for HB 281 was to be held on May 17, 2019. HB 281 prohibits a city from hiring a lobbyist or joining an organization to promote city functions. The City had hired lobbyists to assist with establishing the Fire District and this bill would remove that ability. Mayor Olk stated he was opposed to HB 281.

Mayor Pro Tem Peele viewed the bill as a great concern regarding property tax reform and believed it would be impossible to devote the time and effort needed to keep up with all the bills proposed. Mayor Pro Tem Peele was not in favor of giving up this avenue and indicated that the Bill doesn't serve Lucas citizens and loses a viable option. Mayor Pro Tem Peele encouraged Mayor Olk's support.

Mayor Olk explained that we need to contact Representative Candy Noble to express our position.

Councilmember Baney and Councilmember Lawrence agreed with Mayor Olk.

Councilmember Fisher also agreed with the benefits the City receives but indicated that she did not understand how TML represented the cities in front of the committees.

Mayor Olk indicated that the influence and participation TML provides was a much larger scope. Mayor Olk stated that he would determine if a resolution was needed but would contact Representative Noble about how the City feels since the bill is on the floor tomorrow.

Councilmember Fisher inquired about HB 2439 regarding building materials and expressed her concern that the bill would dictate what cities can be allowed to build within the City. Mayor Olk asked the Council if he should reach out to the Governor regarding the bill on building materials.

City Attorney Joe Gorfida explained that we will have a better understanding of what bills will impact cities by the first of June.

Mayor Olk also added that the summer cleanup and electronic recycling is scheduled for Saturday, June 15 from 8 am to noon.

Mayor Pro Tem Peele thanked City staff and the Fire department for their work at Founders Day, as well as the wet-down ceremony for the new fire engine.

Mayor Olk indicated that the City has received notice of a public meeting by TxDOT. TxDOT is proposing intersection improvements to FM 1378 (West Lucas Road and Southview Drive) and FM 3286 (East Lucas Road) from Edgefield Lane to Arthur Court and from Southview Drive to Lost Valley Drive in Collin County, Texas. This includes a reconfiguration and widening of the Bait Shop intersection. The public meeting will be held on Tuesday, June 18 from 6 pm to 8 pm at Lovejoy Elementary School.

Councilmember Fisher added a late item of community interest that the wife of Milton Gosney, former Lucas Mayor, has passed away and will be buried on Sunday.

Consent Agenda

4. Consent Agenda.

- A. Approval of the minutes of the April 18, 2019 City Council meeting.
- B. Consider amending the Fiscal Year 18/19 budget 11-4914 insurance proceeds in the amount of \$24,330 and associated expense account 11-6999-231 Facility Maintenance for property damage repairs for the hailstorm that occurred on March 25, 2019.
- C. Consider amending the Fiscal Year 18/19 budget 11-4914 insurance proceeds in the amount of \$14,499 and associated expense accounts 11-6212-232 Vehicle Maintenance \$7,177; 11-6209-232 Vehicle Maintenance \$4,280; 11-6300-232 Vehicle Maintenance \$3,042 for property damage repairs for the hailstorm that occurred on March 25, 2019.

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

Executive Session Agenda

- 5. The City Council will convene into Executive Session as permitted under the Texas Government Code, Section 551.074, Personnel Matters, to conduct interviews of Board of Adjustment applicants and discuss Board of Adjustment appointments.**

The City Council convened into Executive Session at 7:44 pm to conduct interviews of the Board of Adjustment applicants and discuss Board of Adjustment appointments.

- 6. Reconvene from Executive Session and take any action necessary as part of the Executive Session.**

The City Council reconvened from Executive Session at 8:08 pm.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Baney, to appoint Michael Dunn as Alternate Member 2 for the Board of Adjustment. The motion passed unanimously by a 6 to 0 vote.

Public Hearing Agenda

- 7. Public hearing to consider adopting Ordinance 2019-05-00892 approving a specific use permit request by Jaclynn and Donnie Cauthorn, property owners of 1622 Snider Lane to allow a kitchen and food preparation area in an accessory building with habitable space.**

The public hearing opened at 8:10 pm.

Development Services Director Joe Hilbourn explained that the property is zoned R-2 and has a building permit to construct an accessory building with habitable space that meets the City's requirements. Mr. Hilbourn indicated that the owners would like to amend the approved building plans to allow a kitchen in the accessory building currently under construction. Section 14.04.304 (a) of the City's Code of Ordinances requires that an addition of a food and kitchen preparation area requires a specific use permit in R-2 or AO zoning districts that contain a single family. The habitable space is located on the second story above and beside a horse barn. The Planning and Zoning Commission unanimously approved the request. Mr. Hilbourn noted that the property owners are concerned about entering into a deed restriction and would like that restriction removed.

Donnie Cauthorn, 1622 Snider Lane, indicated that they would like to add onto their existing space with an upper room. Mr. Cauthorn stated that they do not intend to have any rentals.

Mayor Olk explained the deed restriction requirements is a way for the City to notify property owners not to use the property for rentals.

Mayor Pro Tem Peele asked Mr. Cauthorn would they plan to use it for other services.

Mr. Cauthorn replied that it could be used as additional guest space for visitors.

Mr. Gorfida indicated it is allowed because it is not a barter.

Councilmember Fisher explained when we issue a specific use permit, it goes with the property and not the owner.

Councilmember Lawrence appreciated Mr. Cauthorn for being transparent with his intentions to the Council and stated that the ordinance was designed so that it protects everyone and that the specific use permit follows the property and not the owner.

Mayor Pro Tem Peele indicated having a conversation with Mrs. Cauthorn, and that the space could be used as a place for a consistent group to meet.

Mr. Cauthorn explained that it will not be a commercial use, just a place to have visitors and friends.

Mr. Gorfida indicated that if City grants the specific use permit, the owner still has control of whether or not to sign the deed.

Mayor Pro Tem Peele asked for insight regarding the discussion from the Planning and Zoning Commission meeting.

Planning and Zoning Commission Chair Peggy Rusterholtz, 215 Blondy Jhune Road, explained that the space was presented as an upstairs area over a barn and not on ground level activity. Ms. Rusterholtz indicated that the Commission did not see any problems with it. Ms. Rusterholtz also indicated based on conversations with the Cauthorns that the space would be to meet with their church and groups and prepare food.

Mr. Gorfida indicated that the City needs to grant the specific use permit based on what is being held.

Mayor Olk confirmed three letters of support for the Cauthorns' request for the specific use permit:

- Hector Bass, 1535 Snider Lane
- Jeremy Horvath, 1525 Snider Lane
- Daniel and Marcia Caruthers, 1602 Snider Lane

The public hearing closed at 8:25 pm.

Mayor Pro Tem Peele made a point of clarification from City Attorney Joe Gorfida if the Council approved the specific use permit then it's a requirement that the deed restriction be signed by the homeowner, and Mr. Gorfida responded that is correct and it is in the code of ordinances.

Councilmember Lawrence asked Mr. Gorfida if the homeowner has time to review and approve everything, and Mr. Gorfida confirmed yes and indicated if the homeowner decided not to install anything then the City can revoke the specific use permit.

MOTION: A motion was made by Councilmember Baney, seconded by Councilmember Lawrence to approve adopting Ordinance 2019-05-00892 approving a specific use permit request by Jaclynn and Donnie Cauthorn, property owners of 1622 Snider Lane to allow a kitchen and food preparation area in an accessory building with habitable space and that the deed restriction with the requirements on the ordinance be on file. The motion passed by a 5 to 1 vote with Councilmember Fisher voting in opposition.

Regular Agenda

8. Consider aircraft noise being generated by aircraft departing and arriving at the McKinney National Airport.

Councilmember Lawrence stated that he met with Representative Candy Noble and was informed that Representative Noble had meetings with several Mayors to discuss the McKinney National Airport and their expansion plans. Councilmember Lawrence received feedback from Representative Noble that she does not support any airport vision of the expansion.

City Manager Joni Clarke extended Mr. Ed Fisher's appreciation to the Council.

Councilmember Baney stated that it was concerning that Congressman Van Taylor was in favor of the airport expansion, and noted that he was not in favor of the expansion. There was no way to reroute traffic due to the large jets and there need to have a large radius for flights.

Councilmember Duke explained the expansion affects more than the City of Lucas and suggested reaching out to the Mayor of Fairview as well. He stated that Lucas should partner with the Town of Fairview regarding the airport's expansion efforts. The airport has been open and honest about their plans for the future and well-documented their expansion.

Ms. Clarke indicated that the airport's comprehensive plan is long and extensive. Ms. Clarke also shared that she has met with the City Manager of Fairview regarding the aircraft noise concern.

Mayor Olk suggested having a meeting with the Mayor and City Manager of Fairview.

Councilmember Fisher would like to express appreciation to Mr. Ed Fisher for what he's done.

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

9. Consider the request by Michelle Tillotta with LGA Engineering on behalf of the Collin County Water Control and Improvement District No. 3 for approval of a minor plat for the extension of Osage Lane for access to Inspiration Phases 6 and 7a, a tract of land being part of the Leroy Farmer Survey ABS# 334, being 1.821 acres partially in the City of Lucas, and partially in the City of Lucas ETJ creating a variable width right of way dedicated for public use.

Development Services Director Joe Hilbourn explained that the project was located within the City and the ETJ and has an approved concept plan. The project is part of a Municipal Utility District that supplies roads, sewer and water service for Inspiration. The minor plat is for right of way dedicated to access Inspiration Phases 6 and 7a. The plat meets the City's requirements, and the Planning and Zoning Commission unanimously approved the request.

Mayor Olk asked where Osage Lane is being reflected on the plat.

Mr. Hilbourn indicated that Osage Lane does not have a dedicated right of way.

Mr. Gorfida added that it will not be city dedicated.

Mr. Hilbourn also shared that it will be maintained by the water district.

MOTION: A motion was made by Councilmember Duke, seconded by Councilmember Lawrence to approve the minor plat for the extension of Osage Lane for access to Inspiration Phases 6 and 7a, a tract of land being part of the Leroy Farmer Survey ABS# 334, being 1.821 acres partially in the City of Lucas, and partially in the City of Lucas ETJ creating a variable width right of way dedicated for public use. The motion passed unanimously by a 6 to 0 vote.

10. **Consider the request by Dr. Amin Ashfour for approval of a site plan, landscape plan, and architectural elevations for Lot 3R-1 of the Lucas Ranch Addition being 3.029 acres of a 7.234-acre tract of land zoned Village Center (VC) and located in the Gabriel Fitzhugh Survey of Abstract A0318, Tract 9, otherwise known as 2690 Country Club Road, Lucas, Texas.**

Development Services Director Joe Hilbourn presented the site plan, photometric plan, landscape plan, and architectural plan. The plans were unanimously approved by the Planning and Zoning Commission which includes new architectural changes for the front and sides to have more character. Mr. Hilbourn indicated that the developer did make changes to break out the sides and front as requested by the Planning and Zoning Commission.

Mayor Pro Tem Peele asked why additional parking spaces were needed.

Mr. Hilbourn indicated that no parking spaces are required. The additional spaces could provide additional parking for potential retail, though none are projected for that location.

Mayor Olk explained that the Planning and Zoning Commission was concerned with exterior elevation and appreciates the changes made.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Duke to approve the site plan, landscape plan, and architectural elevations for Lot 3R-1 of the Lucas Ranch Addition being 3.029 acres of a 7.234-acre tract of land zoned Village Center and located in the Gabriel Fitzhugh Survey of Abstract A0318, Tract 9, otherwise known as 2690 Country Club Road, Lucas, Texas. The motion passed unanimously by a 6 to 0 vote.

11. **Consider the request by David K. Kochalka, P.E. with Kimley Horn and Associates on behalf of Wendy Farms Estates for approval of a minor replat changing two lots of record into three lots located in the John W. Kerby Survey, ABS #505, and being 10.641 acres of land, currently known as Lots 2 and 3 Tokalaun Park and Estuary.**

Development Services Director Joe Hilbourn explained that the Wendy Farms minor plat included a proposed tract zoned R-2 with a minimum lot size permitted of two acres. All three proposed lots are equal to or greater than two acres. The proposed minor replat will convert two existing lots of record into three. The subdivision is currently part of Tokalaun Park and Estuary. The owners were converting the name of the subdivision for the proposed three new lots to Wendy Farms Estates, however, have changed their minds and would like to return it to Tokalaun Park and Estuary. There is a bridge that crosses to property lines without an easement. The Planning and Zoning Commission unanimously approved the request.

City Attorney Joe Gorfida indicated that we have an amended plat that has temporary access exits for the bridge.

Mayor Pro Tem Peele asked about Lot 3R and where access would be provided.

Mayor Olk said the access is on Blondy Jhune Road.

Mayor Pro Tem Peele indicated it is not a good access point.

Councilmember Fisher inquired if the bridge will be removed and if the bridge was the City's responsibility.

Mr. Hilbourn answered that the bridge would be removed.

Mr. Gorfida explained that the bridge is not the City's responsibility.

Mr. Hilbourn indicated that the two lots were legally sized lots to fit the minimum requirements to two acres.

Councilmember Fisher inquired if Lot 13 will be a part of Tokalaun and will all three be a part of the homeowner's association.

Mr. Hilbourn indicated that two lots are part of Tokalaun through the homeowner's association. Half of the third parcel is located within Tokalaun and the other half of the parcel is outside Tokalaun. Since a parcel cannot be located in two subdivisions, the third will become part of Wendy Farms.

Mayor Olk indicated that it meets all requirements for the plat.

MOTION: A motion was made by Councilmember Fisher, seconded by Councilmember Baney to approve the minor replat changing two lots of record into three lots located in the John W. Kerby Survey, ABS #505, and being 10.641 acres of land, currently known as Lots 2 and 3 Tokalaun Park and Estuary. The motion passed unanimously by a 6 to 0 vote.

- 12. Consider authorizing the City Manager to negotiate and enter into a development agreement for the construction of an off-site drainage facility for an assisted living, memory care and retirement community on a 10-acre parcel of land of a called 17.0026-acre tract of land located in the William Snider Survey, Abstract number A0821 Tract 16.**

Development Services Director Joe Hilbourn explained that the proposed assisted living facility requires a specific use permit and is proposed on a parcel of land zoned C for Commercial Business. Mr. Hilbourn stated that the assisted living facility consisted of 39,502 square feet and 5,924 square feet would be dedicated to memory care, and 17 duplexes totaling 34 retirement homes, and one clubhouse. A stormwater run-off drain has been included to an area that has an ongoing concern for drainage. Surrounding property owners in Fox Glen and properties along McGarity Lane have expressed concerns about drainage in the area.

Mr. Hilbourn stated that the proposed agreement is to address the drainage concerns in the area and address the responsibilities of the City and the developer. The developer would be responsible for designing the project, oversight of the project, and repairing the drainage in the area. There are

concept plans for the repair work, the site, legal description for the proposed work, and the legal description for the property. The City would be responsible for obtaining the easements for the project and waiving impact fees, platting fees, and other fees normally charged by the City. The City may also need to participate costs above reimbursement to meet the City's required proportional share of the costs for the project.

Mayor Olk asked if the proportional share is coming from the City of Allen and other developments and Mr. Hilbourn confirmed yes.

Councilmember Lawrence inquired about an estimate of the City's portion and Mr. Hilbourn indicated that the City would be responsible for 85% to 90% of the costs and responsible for drainage.

Mr. Gorfida indicated that Exhibit E indicates estimated costs.

Mayor Olk reviewed the costs and indicated that the impact fees estimate to be \$422,413 and the proportional share for anything additional.

Mr. Hilbourn indicated that our proportional share is more than the estimated cost and will be expensive.

Councilmember Baney did not see a benefit to residents and the City from the development by putting high density homes which would create a subdivision with small lots in a commercial area.

Councilmember Fisher indicated that residents have expressed their concern over this type of development.

Mayor Pro Tem Peele indicated that residents have made it clear that they did not want to see this type of commercial development in Lucas.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Lawrence to deny authorizing the City Manager to negotiate and enter into a development agreement for the construction of an off-site drainage facility for an assisted living, memory care and retirement community on a 10-acre parcel of land of a called 17.0026-acre tract of land located in the William Snider Survey, Abstract number A0821 Tract 16. The motion to deny passed unanimously by a 6 to 0 vote.

13. Consider amending the Fiscal Year 18/19 budget 11-General fund balance in the amount of \$15,000 and associated expense account 11-8999-200 Building improvements for the replacement of OSSF (on site sewerage facilities) at City Hall.

Development Services Director Joe Hilbourn explained that the City's septic tanks were leaking and repaired in February 2019. By mid-April, the tanks required inspection again and the City was informed that the lateral lines are no longer functioning properly. Collin County will no longer permit leach field repairs and the City will have to update facilities to an aerobics type system. Mr. Hilbourn indicated that the capital outlay will reduce General Fund Reserves by \$15,000.

MOTION: A motion was made by Councilmember Fisher, seconded by Councilmember Duke to approve amending the Fiscal Year 18/19 budget 11-General fund balance in the amount of \$15,000 and associated expense account 11-8999-200 Building

improvements for the replacement of onsite sewerage facilities at City Hall. The motion passed unanimously by a 6 to 0 vote.

14. Consider Joint Resolution No. 2019-13(R) between the Cities of Lucas, Texas and Wylie, Texas clarifying the common boundary line.

Mayor Pro Tem Peele explained that she, City Manager Joni Clarke and City Engineer Stanton Foerster have worked with the City of Wylie to realign their boundaries. Mayor Pro Tem Peele thanked Mayor Olk for meeting with the City Manager and Mayor of Wylie and they readily agreed that the City of Wylie would relinquish the boat ramp to the City of Lucas. They also made slight adjustments to clean up the area and now the City can move forward with the long-term lease agreement with the United States Army Corp of Engineers.

City Manager Joni Clarke thanked City Engineer Stanton Foerster for researching the legalities and assisting the City of Wylie.

Councilmember Fisher thanked Mayor Pro Tem Peele, City Manager Joni Clarke and City Engineer Stanton Foerster for their efforts with the annexation and boat ramp.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Fisher to approve Joint Resolution No. 2019-13(R) of the City Councils of the Cities of Lucas, Texas and Wylie, Texas, clarifying an establishing the Cities' common boundary line by amending the joint resolution adopted on August 21, 1987, that was amending and republished on April 26, 1988, Lucas Resolution R-1988-04-00055; authorizing the Mayors of the Cities to execute the necessary annexation and deannexation agreements on behalf of the Cities. The motion passed unanimously by a 6 to 0 vote.

15. Consider the appointment of Mayor Pro Tem to serve for a one-year period beginning June 6, 2019 and ending May 31, 2020.

MOTION: A motion was made by Councilmember Fisher, seconded by Councilmember Duke to nominate Mayor Pro Tem Peele to serve as Mayor Pro Tem for a one-year period beginning June 6, 2019 and ending May 31, 2020. The motion passed unanimously by a 6 to 0 vote.

16. Consider establishing a Farmers Market in the City of Lucas.

Councilmember Baney discussed that he and City Manager Joni Clarke wanted to bring forward the idea of establishing a farmers market to the Parks and Open Space Board. Councilmember Baney stated that in order to gauge interest in a farmers market, an article would be placed in the Lucas Leader asking for feedback.

Councilmember Duke agreed that residents would like a farmers market to sell items. Councilmember Duke indicated that there should be a group that runs it for the City and should not create another project for staff.

Councilmember Baney stated that a Parks Board member was researching the logistics of hosting a farmers market, and that there should be some staff involved.

Mayor Olk explained that we can help find a location for the farmers market on private or public property to make sure it looks appropriate.

Councilmember Fisher indicated that many people have extra vegetables, eggs and honey, and is excited for the Parks Board to look into it.

Mayor Pro Tem Peele suggested the pros and cons be determined of hosting a farmers market and also determine why the farmers market in Fairview closed.

Mayor Olk indicated he does not envision building a facility for a farmers market and does not want to see vendors come to sell non-food items.

Councilmember Baney added that we can set rules and regulations for the farmers market and provide recommendations to staff to prepare a newsletter article.

Mayor Olk suggested that a Parks Board member should write the article.

City Manager Joni Clarke indicated that Development Services Director Joe Hilbourn has researched regulations for a farmers market.

Mr. Hilbourn explained that they would need a revision to the ordinance regarding hours to operate in the park if a farmers market were to take place at a City park.

Councilmember Baney envisioned the farmers market to take place at the Lucas Community Park.

Mayor Olk recommended looking into where the farmers market should go.

17. Consider and discuss preliminary plat, engineering, and drainage for 11.9-acre, five residential lot subdivision known as the The Farmstead (formally known as Benton Stables/Lee Estates) located on the north side of the Estates Parkway (FM 2170) and Ingram Lane intersection at 1890 Estates Parkway. The approval of the preliminary plat is not part of this agenda item.

Councilmember Fisher indicated that she had received questions from the public and would like to have the Planning and Zoning Commission review our ordinances to determine if they need to be updated. Councilmember Fisher suggested a change from the number of lots to lot size to address drainage issues.

Mayor Olk asked if this is for drainage or another concern.

City Attorney Joe Gorfida recommended the plat be reviewed by an engineer not the Planning and Zoning Commission.

Councilmember Lawrence discussed where that water came from and asked what was being adjusted.

Mr. Gorfida indicated this was done by engineering as stated in the ordinance.

Councilmember Fisher shared that some things changed with stormwater.

Mayor Olk indicated having no problem with the Planning and Zoning Commission reviewing to see if its up to date. However, it is technical in nature and must be reviewed by someone with drainage expertise.

Mr. Gorfida recommended having an engineer look at the information first.

Councilmember Duke indicated that we have not looked at it in 10 years and staff would have let the Council know if it is not working.

City Manager Joni Clarke indicated that staff has reviewed the entire code of ordinances and can obtain ordinances related to stormwater drainage.

Councilmember Fisher stated they should be gathered for review by the Planning and Zoning Commission.

Mayor Olk asked if we had the technical expertise on staff to review what was needed for drainage.

City Engineer Stanton Foerster and Development Services Director Joe Hilbourn address drainage and negotiate improvements that far exceed the requirement. Mr. Foerster indicated that The Farmstead subdivision had no exemption requirement and fell back to state law and retained their own lots.

Councilmember Lawrence expressed that it would be better to have a technical expert on drainage conduct the study.

Mr. Gorfida indicated that the risk is going to be there, and we have immunity being a municipality. Minor tweaks can be done by City staff unless it requires a study from a firm. Mr. Gorfida explained it is not a complex ordinance and we can tweak it or recommend a different stormwater runoff.

Mayor Olk recommended putting this item back on the agenda to allow staff to conduct a review for the stormwater drainage as directed by the Council.

There was no motion.

18. Adjournment.

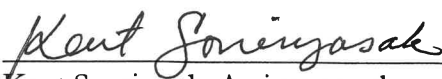
MOTION: A motion was made by Mayor Olk seconded by Councilmember Duke to adjourn the meeting at 9:33 pm. The motion passed unanimously by a 6 to 0 vote.

APPROVED:



Mayor Jim Olk

ATTEST:



Kent Souriyasak, Assistant to the
City Manager

