



AGENDA

City of Lucas City Council Meeting January 16, 2020 7:00 PM

City Hall – Council Chambers 665 Country Club Road – Lucas, Texas

Notice is hereby given that a meeting of the Lucas City Council will be held on Thursday, January 16, 2020 at 7:00 pm at Lucas City Hall, 665 Country Club Road, Lucas, Texas 75002-7651 at which time the following agenda will be discussed. As authorized by Section 551.071 of the Texas Government Code, the City Council may convene into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during the meeting.

Call to Order

- Roll Call
- Determination of Quorum
- Reminder to turn off or silence cell phones
- Pledge of Allegiance

Citizen Input

The Citizen Input portion of the agenda is an opportunity for the public to address the City Council on any subject. By completing a "Request to Speak" form and submitting to the City Secretary, citizens have an opportunity to speak at the City Council meeting. However, in accordance with the Texas Open Meetings Act, the City Council cannot discuss issues raised or make any decisions but may refer items to City Staff for research and possible inclusion on a future agenda.

1. Citizen Input (Mayor Jim Olk)

Community Interest

Pursuant to Section 551.0415 of the Texas Government Code, the City Council may report on the following items: 1) expression of thanks, congratulations or condolences; 2) information about holiday schedules; 3) recognition of individuals; 4) reminders about upcoming City Council events; 5) information about community events; and 6) announcements involving imminent threat to public health and safety.

2. Items of Community Interest. (Mayor Jim Olk)
 - A. Presentation of Proclamation to In N Out Burger.

Consent Agenda

All items listed under the consent agenda are considered routine and are recommended to the City Council for a single vote approval. If discussion is desired, an item may be removed from the consent agenda for a separate vote.

3. Consent Agenda:
 - A. Approval of the minutes of the December 19, 2019 City Council meeting. (City Secretary Stacy Henderson)

Regular Agenda

4. Discuss the Service Tree Program and consider amending program guidelines. **(City Council)**

Executive Session Agenda

Pursuant to Section 551.071 of the Texas Government Code, the City Council may convene into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney regarding any item on the agenda at any time during the meeting. This meeting is closed to the public as provided in the Texas Government Code.

5. Pursuant to Section 551.074 Personnel Matters of the Texas Government Code, the City Council will convene into Executive Session to discuss the terms of the City Manager's contract.
6. Reconvene from Executive Session and take any action necessary as a result of the Executive Session.
7. Adjournment.

Certification

I do hereby certify that the above notice was posted in accordance with the Texas Open Meetings Act on the bulletin board at Lucas City Hall, 665 Country Club Road, Lucas, TX 75002 and on the City's website at www.lucastexas.us on or before 5:00 p.m. on January 9, 2020.

Stacy Henderson, City Secretary

In compliance with the American with Disabilities Act, the City of Lucas will provide for reasonable accommodations for persons attending public meetings at City Hall. Requests for accommodations or interpretive services should be directed to City Secretary Stacy Henderson at 972.912.1211 or by email at shenderson@lucastexas.us at least 48 hours prior to the meeting.



City of Lucas

City Council Agenda Request

January 16, 2020

Requester: Mayor Jim Olk

Agenda Item Request

Citizen Input

Background Information

NA

Attachments/Supporting Documentation

NA

Budget/Financial Impact

NA

Recommendation

NA

Motion

NA



City of Lucas

Council Agenda Request

January 16, 2020

Requester: Mayor Jim Olk

Agenda Item Request

2. Items of Community Interest.

A. Presentation of Proclamation to In N Out Burger.

Background Information

NA

Attachments/Supporting Documentation

1. Proclamation

Budget/Financial Impact

NA

Recommendation

NA

Motion

NA



Proclamation

In N Out Burger

WHEREAS, In-N-Out Burger contributed an in-kind donation for the Lucas community by participating in the City-sponsored special event Country Christmas; and


WHEREAS, December 6, 2019, marks the day in which In-N-Out Burger was scheduled to provide 700 requested free meals to visitors attending the Lucas Country Christmas event, and because of In N Out Burger's immense generosity, by the end of the event provided an additional 150 meals exceeding the requested limit; and

WHEREAS, the City would like to acknowledge the In-N-Out Burger Marketing Coordinator for approving the in-kind donation request, as well as the cookout team that includes the Texas Cookout Coordinators, Department Managers, Truck Managers, Cooks and Servers who planned, prepared and provided the meals at Country Christmas. The staff and volunteers of In-N-Out Burger are dedicated to upholding the highest standards of community service, donating their time and effort to making a difference in the lives of others.


WHEREAS, the City of Lucas Mayor, City Council, City staff, and members of the community are appreciative and thankful to In-N-Out Burger for their generosity and donation of meals at Country Christmas; and

NOW THEREFORE, in recognition of their generosity, I, Jim Olk, Mayor of the City of Lucas, Texas, declare In N Out Burger as the official burger of the City of Lucas.

PROCLAIMED this day 16th day of January 2020.



Jim Olk, Mayor



Stacy Henderson, City Secretary



City of Lucas

Council Agenda Request

January 16, 2020

Requester: City Secretary Stacy Henderson

Agenda Item Request

3. Consent Agenda:
 - A. Approval of the minutes of the December 19, 2019 City Council meeting.

Background Information

NA

Attachments/Supporting Documentation

1. Minutes of the December 19, 2019 City Council meeting.

Budget/Financial Impact

NA

Recommendation

City Staff recommends approval of the Consent Agenda.

Motion

I make a motion to approve the Consent Agenda as presented.



**City of Lucas
City Council Meeting
December 19, 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 7:00 p.m.

City Councilmembers Present:

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

City Staff Present:

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

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. Items of Community Interest.

Mayor Olk noted the following upcoming events:

- City offices closed for the Christmas and New Years Day holidays
- The City Council meeting for January 2, 2020 had been cancelled

Consent Agenda

3. Consent Agenda:

- A. Approval of the minutes of the December 5, 2019 City Council meeting.

- B. Consider approving the Board Appointment Policy outlining City Council procedures for new board member appointments and existing board member reappointments.

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 7 to 0 vote.

Regular Agenda

4. Consider a proposal from Forest Creek Estates Architectural Control Committee Member Andre Guillemaud regarding Forest Creek neighborhood entry signs located at Mary Lee Lane and Blondy Jhune.

Andre Guillemaud, Forest Creek Estates Architectural Control Committee Member gave a presentation noting that there were two entry signs on the south end of Mary Lee Lane on the north side of Blondy Jhune Road. Both signs were located within the right of way 800 feet south of the Forest Creek neighborhood. Mr. Guillemaud stated that Forest Creek Estates did not have an active homeowners association, but did have an active Architectural Control Committee that was in favor of removing the two existing signs and replacing it with one new sign within Forest Creek Park located at the Orchard Gap entrance to the neighborhood. Mr. Guillemaud stated that the new sign would use an original name panel from one of the existing signs and was estimated to cost approximately \$6,000. Mr. Guillemaud stated that the Committee was requesting the City either fund the removal and reconstruction of the sign in the park location or if funding was not approved, allow the signs to remain in their current location.

Mayor Pro Tem Peele asked who would maintain the signage if it were moved to Orchard Gap Park. It was determined that the City would be required to maintain the sign due to its location within a City park if the new sign location was approved.

The Council discussed whether the existing signs were causing a line of sight concern at their current location. The City Engineer confirmed there were no concerns with blocking traffic at their current location.

Mayor Olk read an email from Michael Dunn, Director of the Tokalaun Homeowners Association that stated they were in favor of both signs being removed from their current location, and would prefer that one or both of them be relocated to a location more suitable within the Forest Creek Estates subdivision entrances. Mr. Dunn stated that currently the four homes located on that portion of Mary Lee Lane were not part of Forest Creek Estates and believe the signs are unsightly and serve no purpose at their current location. Mr. Dunn requested that the City remove both signs, store the cast stone name plates while the Forest Creek Estates Architectural Committee explore options to self-fund a new sign to be constructed at Orchard Gap Park.

Mayor Olk noted that the existing signage at Orchard Gap Park was in poor condition and should be considered for replacement. Mayor Olk suggested the Parks Board review what type of signage would be appropriate for park signage.

Mr. Guillemaud stated that the Architectural Committee would be in favor of the Orchard Gap Park sign stating Forest Creek Estates Park and would consider some shared responsibility.

The City Council was in agreement to defer this request to the Parks and Open Space Board January 28, 2020 agenda to determine what type of park signage would be appropriate and leave the current signs in place until a recommendation is brought forward to the City Council.

5. Consider authorizing the City Manager to enter into a license agreement with William Wade Shipley for the use of a 60-foot by 1,320-foot right-of-way dedication to the east of his property located west of 2515 Orr Road and north of the homes on Stanford Drive.

Development Services Director Joe Hilbourn gave a presentation explaining that Mr. Shipley owns property abutting an easement and was requesting use of the easement to acquire access to facilitate the sale of his lot. Mr. Shipley was proposing to use right of way dedicated for the future Forest Grove Road extension as access and utilities for his property. Mr. Hilbourn stated that currently, a non-exclusive access agreement is in place with the property owners at 2515 Orr Road to use the northern portion of the easement and Mr. Shipley would use the southern portion of the easement. Mr. Hilbourn stated that staff recommends use of the easement for access use only, but not for placement of utilities.

William Shipley stated he was present to answer any questions.

Justin Himmelreich, 2515 Orr Road expressed his concern regarding the shared easement and who would be responsible for various expenses, liability concerns, and aesthetic uniformity.

Mr. Hilbourn stated that two separate agreements would be in place for each property owner and the agreement would outline location of the right of way dedication.

Mayor Olk discussed with the Himmelreich's that matters of appearance or shared costs of the easement would be shared between the property owners.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Fisher, to authorize the City Attorney to draft a license agreement and authorize the City Manager to enter into a license agreement with William Shipley for use of a 60 x 1,320 right of way dedication for access only, no utilities located west of 2515 Orr Road, and amend the right of way license agreement with the Himmelreich's if necessary. The motion passed unanimously by a 7 to 0 vote.

6. Consider adopting Ordinance 2019-12-00902 establishing vendor participation fees for the 2020 Farmers Market vendors by amending the City of Lucas Code of Ordinances, Appendix C Fee Schedule, Article 21 Parks and Recreation.

Debra Guillemaud, Farmers Market Chairperson asked the Council to reconsider having no vendor fees for 2020 to assist in recruiting vendors and sustainability of the farmers market in 2020.

Councilmember Millsap stated that the City was creating a unique event and the dollars collected were nominal. Councilmember Millsap stated he was in favor of waiving fees for the first year.

Mayor Pro Tem Peele and Councilmember Lawrence stated they were in favor of charging a \$20 vendor fee.

Mayor Olk stated that he was in favor of waiving fees for the first year.

Councilmember Duke stated that he attended the farmers markets and spoke with many of the vendors regarding the City charging a fee for the next year to participate, and the feedback received from vendors was that a \$20 fee was minimal.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Lawrence to adopt Ordinance 2019-12-00902 approving a participation fee of \$20.00 for each vendor during the Farmers Market season, excluding the markets associated with Founders Day and Country Christmas. The motion passed by a 4 to 3 vote with Mayor Olk, Councilmember Millsap, and Councilmember Baney voting in opposition.

7. **Authorize the City Manager to enter into a professional services contract with Lakes Engineering, Inc. in the amount of \$754,185 for the design of the Snider Lane/White Rock Creek Bridge Project and to amend Fiscal Year 19-20 budget account 21-8210-491-135 Snider Lane/White Rock Creek Bridge.**

City Engineer Stanton Foerster stated that the Snider Lane Bridge between Susan Circle to Shady Lane was identified to be a priority safety improvement using funds established as part of the \$9,000,000 2019 Certificates of Obligation. Mr. Foerster stated that the estimated total cost of the bridge construction project would be approximately \$4 million.

Councilmember Fisher expressed her concern regarding funding design work for the bridge, then waiting several years before the construction of the bridge would take place and changes to the design could occur during that time. Councilmember Fisher stated that the Snider Lane Bridge was rated the highest between the Snider Lane bridge and the Stinson Road bridge.

Mr. Foerster discussed the flooding that had occurred on the Snider Lane bridge when heavy rains had occurred previously, emergency repairs that had been made to the bridge, and governmental funding that could be applied for given its location on Lake Lavon.

MOTION: A motion was made by Councilmember Millsap, seconded by Councilmember Baney to authorize the City Manager to enter into a professional services agreement with Lakes Engineering in the amount of \$754,185 for the design of the Snider Lane/White Rock Creek Bridge project and to amend Fiscal Year 19/20 budget account 21-8210-491-135. The motion passed by a 6 to 1 vote with Councilmember Fisher voting in opposition.

8. **Authorize the City Manager to enter into a professional services contract with Lakes Engineering, Inc. in the amount of \$802,115 for the design of the Stinson Road/Muddy**

Creek Bridge Project and to amend the Fiscal Year 19-20 budget account 21-8210-491-134 Stinson Road/Muddy Creek Bridge.

MOTION: A motion was made by Councilmember Baney, seconded by Councilmember Fisher to authorize the City Manager to enter into a professional services agreement with Lakes Engineering in the amount of \$802,115 for the design of the Stinson Road/Muddy Creek Bridge project and to amend Fiscal Year 19/20 budget account 21-8210-491-134. The motion passed unanimously by a 7 to 0 vote.

9. Discuss regulating the takeoff and landing of aircraft in the City of Lucas with an exemption for medical and law enforcement purposes and provide staff direction on creating such ordinance.

Councilmember Fisher explained that Uber was developing a commercial taxi helicopter service that was expected to begin in the Dallas area in 2023 and was already active in New York.

Councilmember Fisher stated that currently helicopters were allowed to land in the City of Lucas in any space 64 x 64 square foot area or larger, and due to the lack of regulations in place and the large lot sizes in Lucas, helicopters could land on residential property. Councilmember Fisher noted that she recommended regulations be put in place before it became an issue and suggested helicopters be designated to only land in designated areas with an exemption for medical and law enforcement purposes.

The City Council discussed regulations of the City's noise ordinance, how other cities have addressed this concern, and regulations regarding the construction of heliports. City Attorney Joe Gorfida stated that currently heliports were not an allowed use in the Zoning Ordinance and would have to come before the City Council for permission.

There was no direction given to staff regarding creation of an ordinance at this time. No formal action was taken on this item.

10. Consider Resolution R 2019-12-00494 expressing interest in forming a coalition of non-member customer entities of the North Texas Municipal Water District (NTMWD).

City Manager Joni Clarke stated that she had recently attended a meeting hosted by the City of Rowlett that was interested in coordinating efforts with other customer cities of NTMWD. At the meeting, concerns were discussed regarding the take or pay contract and lack of representation for customer cities; therefore, a resolution was being requested from customer cities to gauge interest in forming a coalition.

The City Council discussed the benefits of taking part in the coalition and concerns if the coalition was speaking on the City's behalf, even if they did not agree on various items.

Mayor Olk asked that a bullet point be added to the Resolution that stated the Coalition provide a representative to attend board meetings open to the public and report back to Coalition customer cities the actions and updates that occurred at those board meeting.

MOTION: A motion was made by Councilmember Millsap, seconded by Mayor Pro Tem Peele, to approve Resolution R 2019-12-00494 expressing interest in forming a coalition of non-member customer entities of the NTMWD with a bullet point added stating the Coalition provide a representative to attend board meetings open to the public and report back to Coalition customer cities board meeting actions or updates. The motion passed unanimously by a 7 to 0 vote.

11. Consider amending Section 12.04.002 of the City of Lucas Code of Ordinances to remove W. Lucas Road west of FM 1378, specifically, as a designated truck route and discuss other locations and roadways needing signage to limit truck traffic.

Councilmember Fisher stated that she had viewed truck traffic in neighborhoods such as Huntwick, that should not be allowed to travel through a neighborhood as a way to avoid traffic from other major roadways. Councilmember Fisher suggested “No Truck” signage be added on Forestview Drive west of Winningkoff and on Estelle Lane west of the Huntwick Addition neighborhood. Councilmember Fisher also stated that she did not request West Lucas Road be removed as a truck route.

City Engineer Stanton Foerster stated that all farm-to-market roadways are truck routes along with part of West Lucas Road. Mr. Foerster stated that additional “No Truck” signage could be added to West Lucas Road if needed.

Mayor Olk stated that he was not in favor of adding “No Truck” signage on West Lucas Road.

The City Council did not support removing West Lucas Road from the current truck route.

The City Council discussed the benefits of additional signage in neighborhoods, its effectiveness, and the addition of signage assisting law enforcement.

City Manager Joni Clarke stated that Staff would remove the existing no truck traffic signs and replace them with updated signs and have law enforcement watch the area to see if improvements have been noticed.

The City Council was in agreement to add “No Truck” signage in the Huntwick neighborhood.

Executive Session Agenda

12. An Executive Session is not scheduled for this meeting.

An Executive Session was not held at this meeting.

Adjournment

13. Adjournment.

MOTION: A motion was made by Councilmember Millsap, seconded by Councilmember Lawrence to adjourn the meeting at 8:53 pm. The motion passed unanimously by a 7 to 0 vote.

APPROVED:

ATTEST:

Mayor Jim Olk

Stacy Henderson, City Secretary



City of Lucas

City Council Agenda Request

January 16, 2020

Requester: City Council

Agenda Item Request

Discuss the Service Tree Program and consider amending program guidelines.

Background Information

In June of 2015, the City Council adopted the Service Tree Program that allows for appropriate annual recognition of an individual, business, youth or civic group who has contributed a significant and useful service to the community. The award consists of planting a living tree on City property and presentation of an award plaque by the Mayor at the City's Founders Day event. A Service Tree Subcommittee was formed consisting of Councilmember Fisher, Councilmember Millsap, and Councilmember Duke.

To date, ten service trees have been awarded to the following individuals:

- First City Council of Lucas
- Rebecca Mark
- Charlie Gaines
- Suzanne Christian Calton and Shirley Biggs Parker
- Don Kendall
- Lee Bauer
- Tonda Frazier
- Tracy Matern
- Mrs. Lee Ford
- Peggy Rusterholtz

During the last four years, the City has received nominations from four citizens, the remaining nominations have come from City staff members who are citizens. The deadline to receive nominations for 2019 ended on January 10, 2020, and one application was submitted for an individual that received a Service Tree award last year.

Policy guidelines for the Service Tree Program have been included with this item to be reviewed and considered for updates and amendments.

Attachments/Supporting Documentation

1. Service Tree Program Policy Guidelines
2. Nomination application (sent under separate attachment)



City of Lucas
City Council Agenda Request
January 16, 2020

Budget/Financial Impact

NA

Recommendation

NA

Motion

I make a motion to approve/deny amending the Service Tree Program Policy Guidelines as follows:

Service Tree Program Policy Guidelines

Service Tree program:

- 1 x year
- Pre-plant tree(s)
- Presentation of award plaques at Founders Day Event
- No more than five dedicated trees per year
- Trees planted on City property

Process to Nominate:

- Newsletter will have information regarding the detail process
- Forms can be picked up at city hall
- On-line/website forms to download/print and send or bring into City Hall
- July 1 – August 15 nominations
- Vote by City Council will be done by ballot – from nominations - on 2nd City Council Meeting in August
- Winner(s) contacted by City Staff and notified of award and Founders Day date and presentation time
- Trees ordered and planted prior to Founders Day
- Award plaques ordered to be presented on Founders Day

Nomination Form:

- City Logo
- Name of Eligible Nominee
- Address of Nominee
- Nominated By
- Address
- Nominee Approved by: (City Staff or City Council member who has validated Nominee is Lucas Citizen)
- Length of time nominee a Lucas resident (dates)
- Contribution to the City of Lucas by the Nominee – why is this person being nominated?
- Contribution confirmed by
- Background of the nominee
- Any additional facts or items of interest about the Nominee
- Provide some examples of qualities or contributions we look for in a nominee:
- Founder of Lucas
 - o Founder or long time, significant contributor of Lucas Fire, EMS or City Council
 - o Significant contribution to the City in volunteer hours
 - o Significant contribution to the City with their service
 - o A representative of the City in local, State, or National endeavors

General Guidelines:

- Nominators must obtain approval from the person or group being nominated prior to submission.
- The nominee must be a resident of Lucas
- The volunteer service must benefit the Lucas community.
- Service provided may not include hours served as part of an internship fulfilling academic requirements.
- Staff members compensated by salary or any other compensatory means are not eligible
- Volunteers may nominate themselves.
- Nominations are subject to verification.
- All decisions made by the Lucas City Council are final.
- Any service provided in reference to a court case will not be eligible.

Nominees can be:

- **AN INDIVIDUAL:** whose participation in a group or as an individual has had significant, positive, lasting impact on the City of Lucas.
- **AN OUTSTANDING YOUTH:** Nominee should be under 18 years at time of nomination and demonstrated significant impact or positive change for the City of Lucas
- **ADULT VOLUNTEER GROUP:** Nominees should be a group of three or more adults, over 18 years of age, whose combined efforts contributed outstanding service to the community. (Examples: HOA; CERT; GARDNERS CLUB)
- **YOUTH VOLUNTEER GROUP:** Nominees should be a group of three or more youth, 18 years of age or younger (at time of nomination), whose combined volunteer efforts contributed outstanding service to the community. (Examples: BOY SCOUT TROUP; GIRL SCOUT TROUP; 4-H CLUB)
- **SENIOR VOLUNTEER:** Nominee should be an individual, 60 years of age or older, who demonstrated outstanding volunteer service.
- **CORPORATE VOLUNTEER:** Nominee should be a private, non-charitable business or employee volunteer group thereof that has demonstrated exceptional service to and support of Lucas.
- **FAMILY VOLUNTEER:** Nominee should be a family unit whose combined volunteer efforts demonstrated exceptional community service.



City of Lucas

City Council Agenda Request

January 16, 2020

Requester: Mayor Jim Olk

Agenda Item Request

Executive Session:

Pursuant to Section 551.074 Personnel Matters of the Texas Government Code, the City Council will convene into Executive Session to discuss the terms of the City Manager's contract.

Background Information

NA

Attachments/Supporting Documentation

NA

Budget/Financial Impact

NA

Recommendation

NA

Motion

NA



City of Lucas

City Council Agenda Request

January 16, 2020

Requester: Mayor Jim Olk

Agenda Item Request

Reconvene from Executive Session and take any action necessary as a result of the Executive Session.

Background Information

NA

Attachments/Supporting Documentation

NA

Budget/Financial Impact

NA

Recommendation

NA

Motion

NA