



City of Lucas  
City Council Meeting  
March 19, 2020  
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.

**City Councilmembers Present:**

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

**City Staff Present:**

City Manager Joni Clarke  
City Secretary Stacy Henderson  
Development Services Director Joe Hilbourn

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.**

Charles Nix, 1228 Gallaway Drive, expressed his concerns regarding the lack of lighting near the newly constructed Stinson Highlands roundabout area and the amount of ruts that were occurring in the area due to vehicle traffic. Mr. Nix also noted his frustration that the project was 70 days past expected completion date with no date set when streets would be reopened.

Mayor Olk stated that he would have City staff discuss the matter further since it was not an item on the agenda that could be discussed.

Renee Phillips, 1325 Stinson Road, stated the roundabout at the Stinson Highlands neighborhood was very dangerous and there were two one-way stop signs located in close proximity to each other that also caused confusion, with one sign pointing to ditch. Ms. Phillips stated that larger trucks were hitting the roundabout. Ms. Phillips also wanted to discuss the ban on open burning, noting that she had a lot of debris washing up onto her property from the creek and bridge nearby, and has to pay extra fees to have the debris removed from Barnes Waste Disposal. Ms. Phillips stated that other cities using a different trash service company had this service provided as part of their monthly fee. Ms. Phillips stated that Barnes Waste Disposal was expensive and would like the city to look into using other companies that offer broader bulk pickup services.

Mayor Olk stated that he would have City staff discuss the matter further since it was not an item on the agenda that could be discussed.

## Community Interest

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### 2. Items of Community Interest.

Mayor Olk presented a proclamation to Cornerstone Ranch for Development Disabilities Month, and read a proclamation declaring March 25, 2020 as Medal of Honor Day that was moved from the Consent Agenda.

Mayor Olk stated that a Declaration of Public Health Emergency had been signed on March 19, 2020 closing the Community Center and ball fields, limiting City Board meetings, and no longer allowing dine in service at restaurants.

Mayor Olk also noted the following upcoming events had been cancelled:

- Cleanup, electronic recycling, and paper shredding event scheduled for April 4.
- Movie in the Park scheduled for Friday, April 17.

Mayor Olk announced that the Governor is allowing municipalities to consider postponing their elections to November, and this will be an item for consideration at the special called March 26, 2020 meeting.

City Manager Joni Clarke notified the Council that she would be restricting public access to City Hall beginning Monday, March 12, 2020, but would continue essential city operations.

Chief Gant provided an update regarding COVID-19.

## Consent Agenda

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### 3. Consent Agenda:

- A. Approval of the minutes of the March 5, 2020 City Council meeting.

**MOTION:** A motion was made by Councilmember Millsap, seconded by Councilmember Lawrence to approve the Consent Agenda as presented. The motion passed unanimously by a 7 to 0 vote.

## Public Hearing Agenda

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4. **Public hearing to consider the voluntary annexation requested by Preston Walhood on behalf of McCreary Donihoo Partners LTD for the Estates of Stinson Highlands consisting of approximately 30.6018 acres of land more or less located in the John Gray Survey, Abstract 349, otherwise located at the southwest corner of Stinson Road and Highland Drive.**

Mr. Hilbourn stated that the request was a voluntary annexation for the Estates of Stinson Highlands located at the southwest corner of Stinson Road and Highland Drive. There was an approved development agreement in place, the final plat was approved by the Planning and Zoning Commission on January 9, 2020, and the annexation application was approved on March 5, 2020 by

the City Council. The Estates of Stinson Highlands consisted of 19 residential lots and two common areas.

Mayor Olk opened the public hearing at 7:40 pm, there being no one wanting the speak, the public hearing was closed.

No action was taken on this item it was for public hearing and discussion purposes only.

## **Regular Agenda**

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- 5. Consider adopting Ordinance 2020-03-00906 for a voluntary annexation request by Preston Walhood on behalf of McCreary Donihoo Partners LTD for the Estates of Stinson Highlands currently in the City's extraterritorial jurisdiction consisting of approximately 30.6018 acres of land more or less located in the John Gray Survey, Abstract 349, otherwise located at the southwest corner of Stinson Road and Highland Drive.**

**MOTION:** A motion was made by Councilmember Fisher, seconded by Mayor Pro Tem Peele to adopt Ordinance 2020-03-00906 approving the voluntary annexation request for the Estates of Stinson Highlands located in the City's extraterritorial jurisdiction consisting of approximately 30.6018 acres of land located in the John Gray Survey, Abstract 349 located at the southwest corner of Stinson Road and Highland Drive. The motion passed unanimously by a 7 to 0 vote.

- 6. Discuss and provide direction to staff regarding an update to the City's Code of Ordinances removing regulations for permitting chain link fences.**

Mayor Pro Tem Peele explained that during the most recent Board of Adjustment meeting, an applicant was requesting to use a different material other than a chain link barrier fence around their pool. Mayor Pro Tem Peele stated that current code requirements allow chain link fence material to be used as a pool barrier and she believed the code should be reviewed to determine if that is the best option for a pool barrier given, they can be climbed.

Mayor Olk stated that the State code has approved chain link as an approved swimming pool barrier fence, and he did not want to waive requirements of what was allowed currently. Mayor Olk asked that staff review the swimming pool and spa code and look for further guidance on requirements and bring back to the Council if needed.

The Council was in agreement of having staff review the swimming pool and spa standards and bring back to council if changes were needed.

- 7. Discuss the recent Texas Emergency Services Retirement System (TESRS) Board meeting and proposed rule changes that would allow the City of Lucas to exit the TESRS pension plan.**

Larry Bowman, Chairman of Lucas Volunteer Firefighter Pension Board stated on March 10 he and Councilmember Millsap attended the TESRS board meeting in Austin, where the board reviewed proposed changes to the pension plan rules that would allowed for cities to opt out of the program, but would be required to pay a fee. Lucas' fee would be approximately \$49,000. Mr. Bowman stated that the new rules are being published for 30 days to allow for public input.

Councilmember Millsap stated that the \$49,000 fee was the City's portion of the unfunded liability. This would be a one-time cost that would be assessed, and the City may be able to exit the plan this year.

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

## Executive Session

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### 10. Executive Session.

The City Council convened into Executive Session at 8:00 pm pursuant to Texas Government Code, Section 551.071(2) to consult with legal counsel on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code; wholesale water rates imposed by North Texas Municipal Water District paid by Lucas as a customer city.

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

The City Council reconvened from Executive Session at 8:33 pm and took the following action as a result of the Executive Session.

**MOTION:** A motion was made by Councilmember Millsap, seconded by Councilmember Lawrence to approve Resolution 2020-03-00500 authorizing participation along with other Texas cities and other entities, in an intervention to the PUC Docket No. 46662 and SOAH Docket No. 473-17-4964.WS, which relates to the cost of service determination on the wholesale water rates imposed by the North Texas Municipal Water District. The motion passed unanimously by a 7 to 0 vote.

**MOTION:** A motion was made by Councilmember Millsap, seconded by Councilmember Lawrence to authorize the City Manager to enter into an agreement with McGinnis Lochridge Law Firm to represent the City of Lucas in regard to the Take or Pay Provision and wholesale water contracts. The motion passed unanimously by a 7 to 0 vote.

## Adjournment

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### 12. Adjournment.

**MOTION:** A motion was made by Councilmember Millsap, seconded by Mayor Olk to adjourn the meeting at 8:35 pm. The motion passed unanimously by a 7 to 0 vote.

APPROVED:

  
Mayor Jim Olk



ATTEST:

  
Stacy Henderson, City Secretary