



**City of Lucas
City Council Meeting
May 21, 2020
Video Conference Meeting
7:00 P.M.**

City Hall - 665 Country Club Road – Lucas Texas

MINUTES

Call to Order

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

City Councilmembers Present:

Mayor Jim Olk
Mayor Pro Tem Kathleen Peele
Councilmember Wayne Millsap
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
Finance Director Liz Exum

City Councilmember Absent:

Councilmember Tim Baney

Mayor Olk determined that a quorum was present. Everyone was reminded to silence their cell phones and the Pledge of Allegiance was recited.

This meeting was conducted via video conference.

Citizen Input

1. Citizen Input.

There was no citizen comment at this meeting.

Community Interest

2. Items of Community Interest.

Mayor Olk noted the following items of community interest:

- Lovejoy Highschool was holding a graduation parade on May 30 at 11:15 am. The parade route is on the City's website and citizens were encouraged to come to City Hall to celebrate the 2020 Senior graduating class.
- The Farmers Market was scheduled to reopen June 13 at the Lucas Community Park. Handwashing/sanitizing stations would be available.

- The City would be hosting a virtual tour of Art in Public Places, to view the artwork of students in the Lucas area ranging from elementary to high school students would be featured.
- City Council and the Technology Committee would be meeting with Magellan Advisors on May 27 at 10:00 am by video conference. Citizens were welcome to watch the meeting, the link can be found on the City's website under the News section or the Agenda/Minutes page.

Consent Agenda

3. Consent Agenda:

- Approval of the minutes of the May 7, 2020 City Council meeting.
- Approval of the City of Lucas Investment Report for quarter ending March 31, 2020.

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

Regular Agenda

- Consider an application for a site plan, landscape plan, and elevations submitted by property owner Walmart Real Estate on behalf of Ladera Properties consisting of an 11,838 square foot tenant occupied restaurant, to include a drive-through window and an outdoor dining space on a 1.426 acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, Collin County, Texas, located at 2650 West Lucas Road, Lot 4, Block A of the Walmart Addition.**

Development Services Director Joe Hilbourn gave a presentation reviewing elements of the site plan.

Mr. Don Sopranzi, representing Walmart stated he was available to answer any questions.

Mayor Olk asked if the monument sign would share similar details as surrounding monument signs.

Mr. Hilbourn stated that it would have the "L" shaped frame and other similar elements to match the surrounding signs.

Mayor Olk asked if additional signage was being requested on the back of the building.

Mr. Sopranzi stated that the end cap tenants would want additional signage given the additional parking in the rear of the property. Mr. Hilbourn clarified that signage was not allowed on the back of the building.

MOTION: A motion was made by Councilmember Duke, seconded by Councilmember Fisher to approve the site plan, landscape plan, and elevations consisting of an 11,838 square foot tenant occupied restaurant, to include a drive-through window and an outdoor dining space on a 1.426 acre tract of land located at 2650 West Lucas Road. The motion passed unanimously by a 6 to 0 vote.

5. **Consider the request by Sue Blankenship on behalf of Inspiration to amend Article 2, Section 2.5 and Exhibit C of the approved Settlement and Release Agreement for the Inspiration development, to include increasing the lot count to 1,680 and decreasing the lot size from 10,000 square feet to 8,400 square feet for interior lots only, and to remove the requirement to either place restricted access gates or cul-de-sac at the northern and eastern entrances to the subdivision for a parcel of land located in the City of Lucas extraterritorial jurisdiction, Abstract A0799 Orpha Shelby Survey, Tract 3, being 74.327 acres.**

Mayor Olk stated that the applicant has asked that the request be withdrawn at this time. There was no action taken on this item.

6. **Consider removing 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 Chair discussed how the farmers market would be opening for business on June 13 and the safety measures that would be taken due to COVID-19. Ms. Guillemaud asked that the Council consider waiving the \$20 fee per event for the remainder of the year to assist small businesses during the COVID-19 pandemic.

Councilmember Fisher explained that she did not envision the Lucas farmers market growing into a large market recruiting businesses outside of Lucas. Councilmember Fisher stated she was in favor of supporting Lucas businesses and waiving the fee for those businesses, but businesses outside of Lucas should be required to pay the fee.

Councilmember Millsap stated the goal in waiving fees was to keep vendors interested in the market, trying to determine who was a Lucas resident could become cumbersome on the committee.

Mayor Pro Tem Peele stated that she was not in favor of waiving fees, and given the number of vendors that were participating in the event, the fee was not a deterrent.

The Council discussed waiving fees for a short period of time through the summer and to reassess the situation at a later date.

MOTION: A motion was made by Mayor Olk, seconded by Councilmember Millsap to waive the \$20 participation fee per vendor per event associated with the farmers market for the months of June, July and August. The motion passed by a 4 to 2 vote with Councilmember Fisher and Mayor Pro Tem Peele voting in opposition.

7. **Consider adopting Ordinance 2020-05-00912 approving Mid-Year Budget Adjustments for fiscal year beginning October 1, 2019 and ending September 30, 2020.**

Liz Exum, Finance Director explained that the mid-year budget had been adjusted to reflect actual trends in activity and line item transfers. Expenditures in the budget had been reduced for cancellation of events, travel and savings for the year. Ms. Exum discussed revenue and expenditure adjustments.

Councilmember Millsap asked if there was an estimate of funds spent related to COVID-19.

City Manager Joni Clarke stated that staff was working on expenditures related to COVID-19 that will occur between March 1 and December 30, 2020. Ms. Clarke stated that expenditures related to fire-rescue protective equipment, video conferencing, staff shift changes would all be included in expected costs.

MOTION: A motion was made by Councilmember Millsap, seconded by Councilmember Fisher, to adopt Ordinance 2020-05-00912 approving Mid-Year Budget Adjustments for fiscal year beginning October 1, 2019 and ending September 30, 2020. The motion passed unanimously by a 6 to 0 vote.

The City Council moved to Agenda Item No. 11 at this time.

- 11. Consider authorizing the Mayor to enter into an Interlocal Cooperation Agreement with Collin County for Municipal Direct Expense Funding to receive funding as part of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) for expenses incurred between March 1 through December 30, 2020 related to COVID-19.**

City Manager Joni Clarke state that as part of the CARES Federal Funding Act disbursed by Collin County, the City would be receiving \$361,355 related to COVID-19 unbudgeted expenditures. Ms. Clarke stated that these expenditures must have occurred between March 1 and December 30, 2020.

Ms. Clarke stated that a separate line item within the budget has been created and will be included in the financial reporting.

MOTION: A motion was made by Councilmember Fisher, seconded by Councilmember Millsap to authorize the Mayor to enter into an Interlocal Cooperation Agreement with Collin County for Municipal Direct Expense Funding to receive funding as part of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) for expenses incurred between March 1 through December 30, 2020 related to COVID-19. The motion passed unanimously by a 6 to 0 vote.

The City Council moved to Agenda Item No. 8 at this time.

- 8. Consider the Fiscal Year 20/21 budget calendar being proposed for the budget process.**

Ms. Exum reviewed the budget calendar timeline with the Council noting that the budget workshop was scheduled for July 16.

Mayor Olk stated that he would not be able to attend a July 16th meeting.

Councilmember Fisher and Mayor Pro Tem Peele stated that they would like additional time to review the information between when the Council receives their budget workbook until the time of the budget workshop.

MOTION: A motion was made by Mayor Olk, seconded by Mayor Pro Tem Peele to hold the budget workshop on July 30, 2020. The motion passed unanimously by a 6 to 0 vote.

9. **Consider the selection of the most qualified certified public accounting firm to perform the City's annual audit for fiscal year ending September 30, 2020, and for each of the four (4) subsequent fiscal years and authorize City Manager to negotiate the contract.**

Ms. Exum stated that the Home Rule Charter requires a new auditing firm to be obtained every five years. RFQs were sent out to seven companies and one was received from LaFollett & Abbott, PLLC. Ms. Exum stated that staff recommends authorizing the City Manager to negotiate a contract with LaFollett & Abbott for auditing services.

MOTION: A motion was made by Councilmember Millsap, seconded by Councilmember Lawrence to authorize the City Manager to negotiate the contract with LaFollett & Abbott, PLLC to perform the City's annual audit for fiscal year ending September 30, 2020 and for each of the four subsequent fiscal years. The motion passed unanimously by a 6 to 0 vote.

10. **Consider adopting Ordinance 2020-05-00913 amending the City's Code of Ordinances, Chapter 5, Fire Prevention and Protection, Article 5.02 Fire Marshal, Section 5.02.001 Officer created to report directly to the City Manager or designee.**

City Manager Joni Clarke stated that the designation of Fire Marshal would not be adding a new position, but adding specific responsibilities to an existing employee's duties that were currently serving in the capacity of Building Inspector. The Building Inspector was also a volunteer firefighter and was qualified to serve in the Fire Marshal capacity. Ms. Clarke discussed the employees credentials and the responsibilities of the position of Fire Marshal. Mr. Clarke stated that the Fire Marshal would not take part in arson investigations, as that required law enforcement certification. Ms. Clarke stated that having the Fire Marshal responsibilities added to the staff member position would assist in the enforcement in illegal fireworks as well.

City Attorney Joe Gorfida stated that in the Code of Ordinances, the Fire Marshal position reports to the City Council and the amendment proposes to have the position report to the City Manager or their designee.

Mayor Pro Tem Peele asked why this position did not report to the Fire Chief. The City Council discussed with the Attorney and City Manager how in other cities it was not unusual to have a Fire Marshal position in Development Services given their plan review responsibilities.

Councilmember Fisher stated that she didn't believe the ordinance needed to be amended as these responsibilities could be added to a staff member without an amendment.

The City Council discussed whether the position should report to the Fire Department and if that position would eventually need to be moved to the Fire Department and become a full-time position.

Ms. Clarke stated that there was not enough work for the Fire Marshal position to warrant a new position.

Mayor Olk and the Council asked that the City Attorney review the ordinance, determine what may need to be repealed and bring the ordinance back for consideration on the Consent Agenda.

No formal action was taken on this item.

12. Consider nominations of a primary and alternate member to the Regional Transportation Council.

The City Council discussed the letter received from the City of Allen proposing an Allen Councilmember for the primary member position on the RTC, noting that he was a new member and the Council was not familiar with his credentials. Mayor Olk stated that he would reach out to the Councilmember as well as reach out to neighboring mayors to determine if there were any other candidates to consider.

No formal action was taken on this item, direction was given to place this item on the June 4, 2020 City Council agenda.

13. Consider an appointment to fill a vacant position on the Planning and Zoning Commission.

MOTION: A motion was made by Mayor Olk, seconded by Mayor Pro Tem Peele to promote current Planning and Zoning Commissioner Tommy Tolson from an alternate position to a regular member position, promote Commissioner Adam Sussman from Alternate 2 to Alternate 1, and appoint Dusty Kuykendall to the Alternate 2 position on the Planning and Zoning Commission. The motion passed unanimously by a 6 to 0 vote.

14. Consider whether City Council, Planning and Zoning Commission, and meetings deemed necessary should continue to be held via video conference and/or allow participation in person with limited capacity and provide guidance to staff.

The City Council discussed how meetings may need to occur should the Governor renew current orders or have them expire related to COVID-19.

Mayor Pro Tem Peele and Councilmember Fisher were in favor of having options and the public being able to participate in meetings, in person or by video conference. Both members were in favor of encouraging residents to wear masks and to social distance.

Councilmember Duke would like the option to be able to come to City Hall for meetings.

The Council discussed having input from the Planning and Zoning Commission. Mayor Olk stated he would reach out to the chairman.

The Council was in agreement to continue to review the situation and the Governors directive as to how public meetings will be handled during the COVID-19 emergency.

Executive Session

15. Executive Session.

An Executive Session was not held at this meeting.

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

An Executive Session was not held at this meeting, and no action was taken.

Adjournment

17. Adjournment.

MOTION: A motion was made by Councilmember Millsap, seconded by Mayor Olk to adjourn the meeting at 8:38 pm. The motion passed unanimously by a 6 to 0 vote.

APPROVED:



Mayor Jim Olk

ATTEST:



Stacy Henderson, City Secretary

