



**City of Lucas  
City Council Meeting  
June 4, 2020  
Video Conference Meeting  
7:00 P.M.**

**City Hall - 665 Country Club Road – Lucas Texas**

**MINUTES**

**Call to Order**

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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 Tim Baney  
Councilmember Steve Duke  
Councilmember Philip Lawrence  
Councilmember Debbie Fisher

**City Staff Present:**

City Manager Joni Clarke  
City Attorney Joe Gorfida  
City Secretary Stacy Henderson  
Development Services Director Joe Hilbourn  
Assistant to the City Manager Kent Souriyasak

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 by video conference.

**Citizen Input**

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**1. Citizen Input.**

There was no citizen comment at this meeting.

**Community Interest**

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**2. Items of Community Interest.**

Mayor Olk noted the following items of community interest:

- The Farmers Market was scheduled to reopen June 13 at the Lucas Community Park. Handwashing/sanitizing stations would be available.
- The City Council would be holding their budget workshop on July 30 at 6pm.
- Reminder that it was illegal to discharge fireworks within the City limits of Lucas.

**Consent Agenda**

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**3. Consent Agenda:**

- A. Approval of the minutes of the May 21, 2020 City Council meeting.
- B. Adopt Ordinance 2020-06-00913 amending the Lucas Code of Ordinances by amending Chapter 5 titled "Fire Prevention and Protection" by repealing Article 5.02 titled "Fire Marshal" and Sections 5.02.01 through 5.02.07 in their entirety and reserving Article 5.02 for future use.

**MOTION:** A motion was made by Councilmember Fisher, seconded by Mayor Pro Tem Peele 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 adopting Ordinance 2020-06-00916 approving the request by Alvin and Kimberly Harrison to rezone a 3-acre tract of land situated in the Lewis P. Turner 160 acre Survey, Abstract No. 901, Collin County, Texas, same being a portion of that tract of land conveyed to Hugh McCreery and Dorothy C. McCreery, by deed recorded in Volume 1124, Page 871, Deed Records of Collin County, Texas from Residential (R1.5) to Commercial (C) . The parcel of land is located on the north side of Parker Road approximately 800 feet west of Stinson Road located at 7403 Parker Road.**

Mayor Olk explained that the Planning and Zoning Commission denied the request for rezoning and without an appeal filed from the applicant, the Council could not hear the case.

There was no action taken on this item.

## **Regular Agenda**

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- 5. **Consider information provided by Birkhoff, Hendricks & Carter regarding Lemontree Estates and Kingswood Estates drainage and related watershed and direct the City Manager on same.**

Joe Grajewski, Birkhoff, Hendricks & Carter reviewed the drainage analysis report conducted in the Lemontree Estates and Kingswood Estates neighborhoods and included the following items:

- A. **Lynn Lane Culvert:**  
The culvert is too small but does provide detention during heavy rains. This culvert inlet is located at 1595 Lynn Lane and the outlet is between 1520 and 1580 Lynn Lane.
- B. **Drainage Channel behind 2, 3, and 4 Kingswood Drive:**  
The open channel is too narrow and flat. The small culvert behind 2 Kingswood Drive is an element that was not contemplated in the original design of the Kingswood Estates drainage. It is a restriction to the stormwater flow.
- C. **Citrus Way Culvert:**  
The culvert is too small but does provide detention during heavy rains. The culvert inlet is located between 1 and 3 Citrus Way and the outlet is between 6 and 8 Citrus Way at the southwest corner of Citrus Way.

D. Crossflow from Lemontree Country Estates into Kingswood Estates:

The original berm has not been maintained along the west side of 3, 5, 7, 9, and 11. The berm is needed to direct stormwater south along the common line between Lemontree Country Estates and Kingswood Estates. Kingswood Drive was not designed to accept this stormwater.

E. Reversing Orchard Lane Stormwater Flow:

Currently there is approximately five feet of fall between the northeast corner of Estates Parkway/Orchard Road intersection and the Orchard Road culvert between 8 and 10 Orchard Road. The natural flow is from Estates Parkway to the culvert (south to north). The flow can be reversed to flow from the culvert to Estates Parkway by constructing a new roadside ditch. The ditch would need to be five feet deep and 40 feet wide and have a slope of 0.3%.

F. Lemontree Country Estates Drainage Discharge into Kingswood Estates:

The original design for Kingswood Estates contemplated 15 acres of drainage from Lemontree Country Estates into Kingswood Estates. The actual acreage is 46 acres.

G. Redirecting the Claremont Springs Stormwater to the East:

Currently the top of the hill on the south side of Estates Parkway is immediately west of Ingram Lane. To redirect the Claremont Springs stormwater flow from under Estates Parkway to the south side of Estates Parkway can be done if the top of the hill is moved to the west side of the exiting culvert under Estates Parkway. The new roadside ditch along Estates Parkway would need to be four feet deep and 32 feet wide and have a slope of 0.4%. Additional right-of-way/easements would be required and the reconstruction of seven street/driveway culverts including the culvert under Country Club Road would also be necessary. This redirection would require approval from the Texas Department of Transportation; the Texas Commission on Environmental Quality; and the Federal Emergency Management Agency.

Mayor Olk read two emails into the record from the following individuals regarding drainage comments:

- Mike Aguirre, 1 Santa Fe Trail
- Jim Iannucci, 9 Kingwood

Mr. Jim Iannucci joined the meeting via video conference and asked if drainage could be run down Estates Parkway or if it could be split so as to not intrude in other peoples yards.

Mr. Bill Gunn joined the meeting via video conference and asked if drainage could be rerouted going south or east to Orchard Road then head south. Mr. Gunn also discussed addressing drainage concerns that occur from the high school.

City Engineer Stanton Foerster discussed how water was intended to travel in that area. He noted that water could be redirected but needed to be cautious of diverting water flow into someone else's yard. Mr. Foerster stated that the high school had diverted ten acres that was diverted to the northwest to White Rock Creek.

The Council discussed various ways to divert and improve drainage as well as which areas may be the best place to begin making changes.

Mayor Olk directed City staff to come back with a proposal of what needs to be done first, identify if the area is located on private property or within an easement, the associated cost, and the impact it would have on the neighborhood.

There was no formal action taken on this item.

The City Council moved to Agenda Item No. 9 at this time.

**9. Discuss and Consider the City of Lucas Broadband Project including:**

- A. Timelines and milestones associated with the Lucas Broadband project.
- B. Recent Broadband Project Review meeting and next phase of the planning process, including development of a financial model and feedback received from the City's Financial Advisor Mark McLiney with SAMCO and funding strategies.
- C. Submitting a grant application for the Public Works and Economic Adjustment Assistance Programs through the Economic Development Administration (EDA), U.S. Department of Commerce (DOC).
- D. The on-going role of the Technology Committee and City staffing to support the Lucas Broadband project.
- E. Review timetable options regarding a Bond Election.

Kent Souriyasak, Assistant to the City Manager gave an update to the broadband project noting that the financial model was expected to be received by Magellan Advisors in July. Mr. Souriyasak stated that the broadband network comprised two main design features, first being the fiber network that would encompass approximately 20.2 miles of fiber; and the second component being the distribution network of approximately 87.7 miles of fiber throughout the City. The estimated cost was \$13,885,317 for the fiber and distribution network. Additional costs for equipment and working capital would be determined in the financial model.

Councilmember Fisher reminded everyone that the initial cost outlined was only for the fiber, not any additional equipment or personnel needed.

Mr. Souriyasak stated that he was made aware of a of a Federal grant through the Public Works and Economic Adjustment Assistance Program through the Economic Development Administration, but was informed that obtaining funding may be difficult as the project was dependent on voter approval. Mr. Souriyasak explained that the grant calls for beginning construction within one year and completing the project with in five years. Mr. Souriyasak stated that that he would be applying for the grant later this month.

Mayor Olk asked the Council if consideration should be given to holding a bond election in November given the timing of the grant.

Mayor Pro Tem Peele believed that holding a bond election in November could be premature given the City did not have the financial model to review and all the necessary information to make an informed decision and convey that information to residents.

The City Council discussed the upfront costs associated with installing a fiber network, how the bond would be paid for, and how Lucas taxpayers would be affected. Several Councilmembers expressed their concern about not having enough financial information before calling a November 2020 bond election.

City Manager Joni Clarke suggested Mark McLiney, the City's financial advisor come to the next City Council meeting to discuss the financial impact regarding the issuance of bonds to install a broadband network.

The City discussed the number of residents that work from home, the increasing number of residents working from home, including students, using internet services given the COVID-19 pandemic.

Paul Rathgeb, Chairman of the Technology Committee suggested in the future, the Technology Committee may need to be disbanded in order for committee members to be able to discuss the broadband project with Lucas residents.

City Attorney Joe Gorfida stated that the Technology Committee could not go out and promote the broadband network, but as a committee member, they could speak to the facts and remain neutral.

There was no formal action taken on this item.

The City Council moved back to Agenda Item No. 6.

**6. Consider adopting Ordinance 2020-06-00914 creating regulations on private and public property for illicit discharge into the City's stormwater drainage system.**

Development Services Director Joe Hilbourn explained that the Planning and Zoning Commission was asked to review regulations pertaining to illicit discharge and made the following recommended updates:

- (a) No person shall introduce or cause to be introduced into the MS4 any discharge that causes or contributes to causing the City to violate a water quality standard, the City's Texas Pollutant Discharge Elimination System (TPDES) permit, or any state-issued discharge permit for discharges from its MS4.
- (b) No person shall dump, drain, spill, leak, pump, pour, emit, empty, discharge, leach, dispose, throw, place or otherwise introduce or cause, allow, or permit to be introduced any of the following substances in or on any public street, alley, storm sewer, drainage structure, drainage channel, stream, river, pond or any other public property. See attached Proposed Illicit Discharge Regulations for a listing of illicit discharges.

Mr. Hilbourn discussed various code requirements with Mayor Pro Tem Peele clarifying their definition and discussed examples of illicit discharge and illegal dumping.

**MOTION:** A motion was made by Councilmember Baney, seconded by Councilmember Duke to adopt Ordinance 2020-06-00914 creating regulations (a) and (b) above on private and public property for illicit discharge into the City's stormwater drainage system. The motion passed unanimously by a 7 to 0 vote.

7. **Consider adopting Ordinance 2020-06-00915 relating to amendments to Section 6.02.002 Prohibited Acts and Section 6.02.003 Abatement making it a violation of the City of Lucas Code of Ordinances to obstruct or fail to maintain drainage on properties in the City.**

Development Services Director Joe Hilbourn explained that the Planning and Zoning Commission was asked to review regulations pertaining to stormwater runoff requirements and made the following recommended updates related to homeowner maintenance of drainage on private property:

Section 6.02.002 - Prohibited Acts

- (d) It shall be unlawful for any person owning, claiming, occupying or having supervision or control of any real property in the city, including any adjacent and contiguous rights-of-way or easements, to permit or allow a ditch, water course, culvert, or other earthen structure, to obstruct, contribute to obstructions, through either direct action or failure to maintain and prevent flooding, or the accumulation or ponding of standing, stagnant, or non-maintained water thereon.

Section 6.02.003 - Abatement

- (b) Draining, filling or re-grading any lots, cleaning/repairing/replacing driveway culverts, ground, or yards which have standing or stagnant water thereon.

**MOTION:** A motion was made by Councilmember Duke, seconded by Councilmember Lawrence to adopt Ordinance 2020-06-00915 approving amendments to Section 6.02.002 (d) Prohibited Acts and Section 6.02.003 (b) Abatement making it a violation of the City of Lucas Code of Ordinances to obstruct or fail to maintain drainage on properties in the City. The motion passed unanimously by a 7 to 0 vote.

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

Mayor Olk stated that he had reached out to Allen Councilmember, Mr. Schulmeister nominated for the primary position at the Regional Transportation Council and shared Lucas' concerns. Mayor Olk stated that he would recommend Ms. Schulmeister for the appointment.

**MOTION:** A motion was made by Councilmember Millsap, seconded by Mayor Olk to nominate Chris Schulmeister, City of Allen as the primary member, and Mayor Hogue, City of Wylie as the alternate member. The motion passed unanimously by a 7 to 0 vote.

10. **Consider canceling the July 2, 2020 City Council meeting or modifying the meeting date.**

The Council was in agreement to maintain the July 2, 2020 meeting and to place an item on a future agenda regarding whether the City Council will continue to hold meetings by video conference, in person or a hybrid of both.

City Attorney Joe Gorfida explained that certain suspensions of the Open Meetings Act will continue for at least another 30 days if not possibly longer.

### **Executive Session**

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**11. Executive Session.**

An Executive Session was not held at this meeting.

**12. 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**

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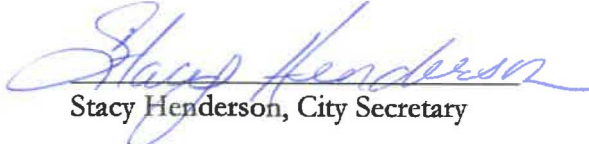
**13. Adjournment.**

**MOTION:** A motion was made by Councilmember Millsap, seconded by Mayor Olk to adjourn the meeting at 9:16 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

