



City of Lucas
City Council Meeting/Budget Workshop
August 20, 2020

Video Conference Meeting
7:00 P.M.

City Hall, 665 Country Club Road, Lucas, Texas

MINUTES

Call to Order

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
City Attorney Joe Gorfida
Assistant to the City Manager Kent Souriyasak
Development Director Joe Hilbourn
City Engineer Stanton Foerster
Finance Director Liz Exum
Fire Chief Ted Stephens

This meeting was conducted by video conference.

Mayor Olk called the meeting to order at 7:00 p.m., determined that a quorum was present, and the Pledge of Allegiance was recited.

Citizen Input

Shane Noack, Lucas resident had questions regarding the City's meeting with GCEC regarding internet services and wanted an update regarding this meeting.

Mayor Olk stated the item was not on the agenda and could not be discussed but he would contact Mr. Noack to discuss further.

Paul Rathgeb, Lucas resident, commented that in speaking with Mayor Pro Tem Peele, the meeting with GCEC would be discussed.

Mayor Pro Tem Peele stated she would make a statement during Community Interest.

Community Interest

Mayor Olk noted that the following items of Community Interest:

- Farmers Market would be in operation on August 22 from 8 am to Noon.
- West Lucas Road maintenance activity would begin on August 24.
- Public hearing for the budget and tax rate was set for September 3, 2020.

- Public Lands Trails Cleanup event is scheduled for September 26 at Brockdale Park Trailhead.
- Early voting and election day voting would be held at the Lucas Community Center.

City Attorney Joe Gorfida clarified items of community interest that could be discussed per Section 551.0415 of the Texas Government Code that included: 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. Mr. Gorfida noted that discussing the GCEC meeting notes did not meet the criteria for discussion.

Consent Agenda

3. Consent Agenda:

- A. Approval of the minutes of the July 30, 2020 City Council meeting.
- B. Authorize the Mayor to enter into an interlocal agreement between the City of Lucas and Collin County, acting through the Collin County Health Care Services/Collin County Office of Emergency Management allowing the City to become a closed point of dispensing when Strategic National Stockpile assets are released.

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

- 4. **Public hearing to consider adopting Ordinance 2020-08-00920 amending the City's Code of Ordinances, Chapter 14 Zoning, Article 14.04 Supplementary Regulations, Division 8. Accessory Buildings, Structures and Uses, Section 14.04.302 Accessory structures, buildings and uses permitted, and Section 14.04.304 General accessory buildings and structures regulations to require storage containers in a residential district to be located a minimum of ten feet behind the main structure, to require storage containers in the commercial business, and light industrial district to be behind the main structure, and to require detached accessory buildings to be a minimum of ten feet behind the main structure unless they are architecturally compatible with the main structure.**

Development Services Director Joe Hilbourn gave a presentation outlining proposed amendments to the code related to accessory buildings that included:

- 1) Agriculture uses with five (5) acres or more may use trailers, containers, or commercial boxes for permanent storage located behind the main structure and obscured from public view; or
- 2) Industrial and commercial users may use trailers, containers, or commercial boxes for temporary storage located behind the main structure obscured from public view for a period not to exceed ninety (90) days total in any one calendar year. The director of community development may extend the allowable time in thirty (30) day

increments up to a maximum of 180 days, provided the property owner provides just cause for the extension.

- 3) (A) (i) Front yard setback, a minimum of ten feet behind the rear build line of the main structure unless the building is attached and is designed to be architecturally compatible with the main building and constructed of similar materials as the main building. Then a fifty-foot front yard setback is required.

Mr. Hilbourn stated that the Planning and Zoning Commission has recommended approval of the proposed amendments.

The Council discussed the definition of obscured and if an accessory building was already in place, it would become legal nonconforming.

Mayor Olk opened the public hearing at 7:16 pm and read an email from Wayne Dunleavy expressing his opposition to amendments relating to accessory buildings.

There being no other comments, the public hearing was closed at 7:19 pm.

MOTION: A motion was made by Councilmember Baney, seconded by Councilmember Millsap to adopt Ordinance 2020-08-00920 amending the City's Code of Ordinances, Chapter 14 Zoning, Article 14.04 Supplementary Regulations, Division 8. Accessory Buildings, Structures and Uses, Section 14.04.302 Accessory structures, buildings and uses permitted, and Section 14.04.304 General accessory buildings and structures regulations to require storage containers in a residential district to be located a minimum of ten feet behind the main structure, to require storage containers in the commercial business, and light industrial district to be behind the main structure, and to require detached accessory buildings to be a minimum of ten feet behind the main structure unless they are architecturally compatible with the main structure. The motion passed unanimously by a 7 to 0 vote.

Regular Agenda

5. **Consider an application by Ron Lacock on behalf of Dwarf Willow, LLC for a development agreement for Lucas Country Corner located at 215 Southview, a tract of land being 10.262 acres of land in the James Anderson Survey, Abs A0017, Sheet 1, Tract 8, to give cross access to a self-service gas station and convenience store located at 175 Southview and for the installation of a live screen barrier in lieu of a six to eight foot masonry wall between commercial and residential district in consideration of rezoning.**

Development Services Director Joe Hilbourn gave a presentation noting the following items regarding the project:

- The property is zoned R-2.
- The development agreement would grant cross access to a self-service gas station and convenience store located at 175 Southview.

- For the proposed cross access, the City will consider zoning the property generally in accordance with the approved Comprehensive Plan and allow for a living screen in lieu of a masonry brick wall required between residential and commercial districts.
- The project proposes two-story buildings on a lot adjacent to a residential district.

Mr. Hilbourn discussed the surrounding neighborhood concerns related to traffic and adding light into their neighborhood from the commercial properties.

Ron Lacock and Darren Printz, owners of Lucas Country Corners, noted changes that had been made since their original submission that entailed leaving the southern 2-acre tract as R-2 and the eastern lot with the pond would also remain R-2; therefore requesting only to rezone 6.5 acres. Mr. Lacock stated the latest site plan should be reflective of what the surrounding neighborhood has requested.

The Council discussed the portion of the masonry wall the applicant was requesting to remove that was adjacent to a residential area on Carey Lane. A living screen was suggested in lieu of a masonry wall. Ms. Fisher expressed her concern regarding the intrusion into the neighborhood.

Mayor Pro Tem Peele noted that the property was zoned commercial and would be developed at some point. The elevations of the buildings proposal fit well into the neighborhood, and it provided access to the property on the corner, which was needed.

The Council discussed changes to the development that would require a specific use permit such as a drive through facility or outdoor dining.

The Council asked how access would be restricted to the pond area. Mr. Printz noted that a low barrier fence would be placed around the pond to leave the area natural and discourage additional foot traffic.

Mr. Lacock stated that the two-story buildings proposed would have offices on the second floor and the buildings with two-stories would be blocked by trees from the adjoining neighborhood. Mr. Lacock stated that the windows could be reoriented so as to not be intrusive to the neighborhood.

Mayor Olk stated that agreement did not establish zoning but address other items. He stated that the property owner has a right to develop his land and suggested a neighborhood meeting be held so the residents can understand their options.

Cameron Culver, architect for the project was available to answer questions.

The following individuals noted their opposition to the request:

- Kurt Wesner, 9 Carey Lane
- Tonya Egger, Carey Lane
- Chris Egger, Carey Lane
- Don Webb, Carey Lane
- Don Stout, Carey Lane
- David Stovall, Carey Lane
- Dana Palmer, Travis Road Ranch

Mayor Olk read the names of emails received from residents that were opposed to the request.

- Patsy Black
- Dana Andrews
- Gary and Sherry Bierschwale
- Kevin and Donna Bradshaw
- Priscilla Brown
- Greg and Tina Conn
- Jennifer Cook
- Bill George
- Jennifer Johnson
- Sara Keldorf
- Mark Simmons
- Harold Sackett
- Debra Thompson
- Kathryn Walters
- Adam Sussman
- Jim Hurley
- Corey Long
- Jerry Guseman

Mayor Olk read the emails received in favor of the request:

- Mike Petty
- Pam and Tom Waters
- Kim and Steven Mosely
- Elaina Pech
- Christina Hughes
- Darren Printz and Ron Lacock
- Carolyn Benslin

MOTION: A motion was made by Mayor Olk, seconded by Councilmember Fisher to table this item until a neighborhood meeting could take place. The motion passed unanimously by a 7 to 0 vote.

6. **Consider the approval of 1) Resolution R-2020-08-00503 of the City Council of the City of Lucas, Texas authorizing the approval of an agreement to contribute to right of way funds (fixed price), 2) authorize the Mayor to execute the agreement to contribute to right-of-way funds (fixed price) to the State of Texas through the Texas Department of Transportation for a transportation improvement project located at FM 1378 at FM 3286, and 3) using funds from the 2019 Certificates of Obligation for the City's participation in the right-of-way and utility adjustments for the Bait Shop Intersection (FM 1378/FM 3286) project and appropriate funds to line item 21-8210-491-138 in an amount not to exceed \$129,517.60.**

Mayor Pro Tem Peele noted her opposition to this agreement moving forward as the proposed alignment cuts off access to Cedar Bend with four lanes turning into two lanes at Edgefield.

Residents would not be able to turn left out of their neighborhood and trailers would not be able to make a left turn. Mayor Pro Tem Peele stated that a better solution needs to be considered.

The Council discussed funding that the County and City would receive, when TxDOT purchases a portion of the Lucas Corners tract, and the relocation of water lines in the area. The Council also discussed the negative impact of removing certain access to the Edgefield/Cedar Bend neighborhood, as well as emergency response.

Mayor Olk asked the City Engineer if he would request a representative from TxDOT attend a City Council meeting and discuss the design of the roadway and intersection further.

MOTION: A motion was made by Mayor Olk, seconded by Councilmember Lawrence to table this item until a representative from TxDOT could attend the meeting to discuss the matter further. The motion passed unanimously by a 7 to 0 vote.

7. Consider a modification to trail easements within the Stinson Highlands subdivision through the platting process from the rear yard to the front yard.

Development Services Director Joe Hilbourn gave a presentation noting that the property owners at 925, 1001 and 1015 Inverness have installed fencing in a trails easement that they were unaware was in place. The City has acquired easements for trails through Stinson Highlands and staff proposed modifying the trails easement on lots 4 through 7, block A from the rear yard to the front yard and alter the alignment from open space lot 8, Block A to lot 4, block A. South of lot 4, block A the trail was designed to be in the right of way for a prescribed distance.

Trina Perraut, 1015 Inverness spoke in favor of the realignment noting security concerns with the trail at the rear of the property.

Pete Soliz, Lucas resident, spoke in favor of moving the realignment to the front of the property.

Nanette Zastrow, 925 Inverness, spoke in favor of moving the realignment to the front of the property.

Fred Burgess, 1001 Inverness, spoke in favor of the realignment noting security concerns with the trail at the rear of the property.

Randel Bjorkquist, Lucas resident, spoke in opposition to the realignment and noted that the easement was located on the plat.

Cavell McDermott, 1107 Inverness, spoke in favor of the realignment noting security concerns with the trail at the rear of the property. Mr. McDermott noted that the easement was not identified on his plat.

City Engineer Stanton Foerster noted that the trail was located within street right of way between Bristol Park 3 and Rockland Farms and therefore, would not have been on the plat for properties with trails in the front.

Mayor Olk stated that the Council would be taking a break at 9:41 pm.

The Council convened from their break at 9:51 pm.

The City Council discussed the current trail layout in the area and street access and right of way. Mr. Hilbourn explained where the current trails were located and moving the trail alignment to the front of the homes would align with neighboring lots in the area.

MOTION: A motion was by Mayor Olk, seconded by Councilmember Baney to abandon the easement behind lots 4 through 7, Block A of Stinson Highlands from the rear yard to the front yard. The motion passed unanimously by a 7 to 0 vote.

8. Consider the Bridge Alternative Report (BAR) of the Stinson Bridge and Roadway Improvements and provide direction to the City Manager.

Mayor Olk explained that the bridge improvements would impact many residents in the area and suggested a neighborhood meeting be held before action was taken on this item.

MOTION: A motion was made by Mayor Olk, seconded by Councilmember Baney to table this item and setup a neighborhood meeting. The motion passed unanimously by a 7 to 0 vote.

9. Consider the Bridge Alternative Report (BAR) of the Snider Bridge and Roadway Improvements and provide direction to the City Manager.

Chris Mezler, Lakes Engineering reviewed the bridge alternative report with the Council noting the need to raise the bridge approximately 12.5 feet to keep flood waters off the bridge, installation of a retaining wall, and complete intersection closures of Shady Lane and Snider Lane due to construction.

Fire Chief Ted Stephens stated that Fire-Rescue would enter the area from the north and would not cause a delay in emergency response.

Sean Watts, 1115 Snider asked the closure time for the area for bridge reconstruction. Mr. Mezler stated approximately 18 months.

MOTION: A motion was made by Councilmember Baney, seconded by Councilmember Millsap to approve proceeding with the design of the Snider Lane bridge and roadway in accordance with Lakes Engineering as outlined in the bridge alternative report. The motion passed unanimously by a 7 to 0 vote.

10. Discuss the Fiscal Year 2020-2021 Proposed Budget.

Finance Director Liz Exum gave an update on the budget noting that the budget had been calculated using the voter approval tax rate of \$0.299795 received from the certified tax roll from the Collin County Tax Assessor. There were no revisions to expenditures. There was no action on this item it was for discussion purposes only.

11. Consider the proposed City of Lucas Property Tax Rate for Fiscal Year 2020-2021.

Finance Director Liz Exum explained that tax rate calculations had been received for the 2020-2021 fiscal year from the Collin County Tax Assessor. The property tax rate options are as follows:

1. No-New-Revenue tax rate - \$.300790 (\$.191841 M&O and \$.108949 Debt)
2. Voter-Approval tax rate \$.299795 (\$.190846 M&O and \$.108949 Debt)
3. De Minimis tax rate - \$.332064 (\$.223115 M&O and \$.108949 Debt)

MOTION: A motion was made by Councilmember Fisher, seconded by Councilmember Millsap to approve the tax rate for fiscal year 20-21 at the voter approval tax rate of \$0.299795. The following roll call vote was taken:

Councilmember Baney - Yes
Councilmember Duke - Yes
Mayor Olk - Yes
Mayor Pro Tem Peele - Yes
Councilmember Millsap – Yes
Councilmember Fisher – Yes
Councilmember Lawrence – Yes

The motion passed unanimously by a 7 to 0 vote.

12. Consider how to organize, manage, create, and distribute factual information pertaining to the proposed City of Lucas Broadband Project and provide guidance to the City Manager.

Mayor Olk opened the meeting to the following individuals that requested to speak:

Amye Mercer, owner of Big Wave Wireless discussed the accuracy of the speed test and using city owned parcels for additional service.

Neal Polan, Lucas resident, asked the outcome of the City's meeting with GCEC, asked what the concerns were related to releasing the Magellan FAQ, inquired about future staffing salary costs, and asked that information be posted for review.

Shane Noack, Lucas resident spoke regarding Big Wave Wireless comments made earlier.

Terry Derrick, Lucas resident discussed internet issues.

Jeff Coulson, Lucas resident discussed communication needs to get information out to residents.

The Council agreed the following existing items presented to the Council should be placed on the City's website related to the Broadband project:

- City Council agendas and minutes relating to broadband
- Feasibility study
- General background information to include the timeline of events, survey information from the speed test and the City's communication survey
- Bond information from Samco Financial
- Statement regarding electioneering
- Pro Forma document included with the feasibility study
- Q&A from Councilmembers completed by Assistant to the City Manager Kent Souriyasak broken down by category

- Meeting notes from GCEC meeting
- Q&A form for residents to submit questions

It was clarified that City staff would be responding to questions received from the website Q&A form that residents submit. In answering questions, information would be obtained from existing documents and the source of where information was obtained would be placed as a footnote in the response. The Council noted that they did not want to spend any additional funds having Magellan prepare additional reports to answer citizen questions. Information should be obtained from existing documentation.

There was no formal action taken on this item.

Executive Session Agenda

13. Executive Session

An Executive Session was not held at this meeting.

14. 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.

Adjournment


15. Adjournment.

MOTION: A motion was made by Councilmember Millsap, seconded by Mayor Olk to adjourn the meeting at 11:37 pm. The motion passed unanimously by a 7 to 0 vote.

APPROVED:

ATTEST:


Stacy Henderson, City Secretary


Jim Olk, Mayor

