



MINUTES CITY COUNCIL REGULAR MEETING

May 5, 2022 | 6:35 PM

Council Chambers | Video Conference
City Hall | 665 Country Club Road, Lucas, Texas

City Councilmembers Present:

Mayor Jim Olk
Mayor Pro Tem Kathleen Peele
Councilmember Tim Johnson
Councilmember David Keer
Councilmember Tim Baney
Councilmember Phil Lawrence
Councilmember Debbie Fisher

City Staff Present:

City Manager Joni Clarke
City Secretary Stacy Henderson
Development Services Director Joe Hilbourn
Public Works Director Scott Holden
Finance Director Liz Exum
Fire Chief Ted Stephens
Assistant to the City Manager Kent Souriyasak

The regular City Council meeting was called to order at 6:33 pm immediately following the Lucas Fire Control, Prevention, and EMS District Board meeting.

Citizen Input

1. Citizen Input

John Abbott, 935 Bentwater discussed the high grass in the lots next to his home and the need for a higher penalty than what was currently allowed in the City's Code of Ordinances.

Community Interest

2. Items of Community Interest

Mayor Olk discussed upcoming City events related to the farmers market, Founders Day, election day on May 7 and the Lucas Car Show.

Consent Agenda

3. Consent Agenda:

- A. Approval of the minutes of the April 21, 2022, City Council meeting.

MOTION: A motion was made by Councilmember Fisher, seconded by Councilmember Johnson 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 2022-05-00951 approving a specific use permit request by Christopher Lang, property owner of 1350 Lynn Lane, Glenbrook Estates, Lot 20 to allow a kitchen and food preparation area in an accessory building with habitable space.**

Development Services Director Joe Hilbourn gave a presentation regarding the specific use permit request.

Chris Lang, property owner of 1350 Lynn Lane discussed the use of the accessory building as a mother-in-law quarters and the driveway connection to be made to the accessory building.

The public hearing was opened at 6:52 pm, there being no one wishing to speak, the public hearing was closed.

The Council noted that the deed restrictions should be added as part of the Ordinance.

MOTION: A motion was made by Councilmember Baney, seconded by Councilmember Lawrence to adopt Ordinance 2022-05-00951 approving a specific use permit request for the property at 1350 Lynn Lane, Glenbrook Estates, Lot 20 allowing a kitchen and food preparation area in an accessory building with habitable space with the amendment to add the deed restrictions as an exhibit to the ordinance. The motion passed by a 6 to 1 vote with Councilmember Fisher voting in opposition.

5. **Public hearing to consider adopting Ordinance 2022-05-00952 approving the rezoning request by Preston Walhond on behalf of Young Dean Homestead, Ltd. for a change in zoning from AO to R-1 on a parcel of land consisting of 44.185 acres, located on the east side of Stinson Road, approximately 55 feet south of the roundabout.**

Development Services Director Joe Hilbourn gave presentation discussing the rezoning request, utilities and overhead lines running through the property and cul-de-sac radius.

The public hearing was opened at 7:02 pm and the following individuals spoke regarding the request:

- Patsy Young, property owner of the 44.185 acres, spoke to selling her property and development of the property.
- Steve Solomon with the Warner Group, developer for the property, spoke regarding development of the property and being compatible with existing adjoining property in the area.
- Donna Hubert, 400 Shiloh spoke regarding flooding in the area and her concerns regarding additional flooding due to the new development and the need for a drainage study to be conducted before development occurred.

The public hearing was closed at 7:20 pm.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Lawrence to adopt Ordinance 2022-05-00952 approving the rezoning from AO to R-1 on a parcel of land consisting of 44.185 acres, located on the east side of Stinson Road, approximately 55 feet south of the roundabout. The motion passed by a 6 to 1 vote with Councilmember Johnson voting in opposition.

6. Public hearing to consider adopting Ordinance 2022-05-00950 approving amendments to the City's Code of Ordinances, Chapter 14, Zoning, Division 4, Specific Use Permits.

The public hearing was opened at 7:25 pm, there being no one wishing to speak, the public hearing was closed.

The City Council reviewed the ordinance by each section and made various amendments.

MOTION: A motion was made by Mayor Olk, seconded by Councilmember Johnson to adopt Ordinance 2022-05-00950 approving amendments to the City's Code of Ordinances, Chapter 14, Zoning, Division 4, Specific Use Permits with additional amendments made by the City Council. The motion passed unanimously by a 7 to 0 vote.

7. Public hearing to consider approving amendments to the City's Code of Ordinances, Chapter 14, Zoning, Section 14.01.004 Definitions, to amend the definition of home occupation and adding regulations for the operation of home occupations.

The public hearing was opened at 8:05 pm, there being no one wishing to speak, the public hearing was closed.

The City Council noted that there was not an ordinance to act upon as there was no recommendation brought forward by the Planning and Zoning Commission. The Council discussed agricultural uses that were exempt from the ordinance, and suggested amending the definition of home-based business regulations that read as follows:

Home occupation: a business, occupation, or profession conducted wholly within an allowable residential building and dwelling unit, by only the residents thereof, and which shall have the following characteristics.

- (1) The activity shall employ only members of the immediate family of the resident of the dwelling unit.
- (2) There shall be no external evidence of the occupation detectable at any lot line, said evidence to include, advertising signs, or displays, smoke, dust, noise, fumes, glare, vibration, electrical disturbance, storage of materials or equipment, or traffic or parking of vehicles in a manner evidencing the conduct of a business or that creates a nuisance to persons of ordinary sensibilities that occupy surrounding properties.

MOTION: A motion was made by Mayor Olk, seconded by Councilmember Fisher to approve preparation of an ordinance to be placed on the Consent Agenda at the May 19, 2022, City Council meeting that amends Code of Ordinances Chapter 14, Zoning, Section 14.01.004 Definitions for Home Occupation to add to the definition “allowable residential building and dwelling units”, and Subsection 2, adding “that creates a nuisance to persons of ordinary sensibilities that occupy surrounding properties”. The motion passed by a 6 to 1 vote with Councilmember Keer in opposition.

Regular Agenda

8. Consider authorizing the City Manager to execute the Agreement for Solid Waste and Recycling Services between the City of Lucas and Community Waste Disposal beginning October 1, 2022, for a period of five years.

Assistant to the City Manager Kent Souriyasak gave a presentation regarding the proposed contract for solid waste and recycling services discussing amenities offered in the contract, annual adjustments, and cart allotment.

The City Council discussed with Jason Roemer, Vice President of CWD their rates, services, and rate increase percentages over time.

The following individuals spoke regarding this item:

- Susie Leightner, 2350 Rock Ridge, discussed the trucks that would be used and the amount of wear and tear on roadways.
- Charles Corporen, Lucas resident, asked about the transition plan.

MOTION: A motion was made by Councilmember Baney, seconded by Mayor Pro Tem Peele to authorize the City Manager to execute the Agreement for Solid Waste and Recycling Services between the City of Lucas and Community Waste Disposal beginning October 1, 2022, for a period of five years. The motion passed unanimously by a 7 to 0 vote.

9. Consider adopting Ordinance 2022-05-00949 approving Mid-Year Budget Adjustments for fiscal year beginning October 1, 2021 and ending September 30, 2022.

Finance Director Liz Exum gave a presentation regarding proposed mid-year budget amendments and additional departmental requests. After some discussion with Council, the following motion was made.

MOTION: A motion was made by Councilmember Johnson, seconded by Councilmember Keer to adopt Ordinance 2022-05-00949 approving Mid-Year Budget Adjustments for fiscal year beginning October 1, 2021, and ending September 30, 2022. The motion passed unanimously by a 7 to 0 vote.

10. **Discuss and review Chapter 7, Streets and Drainage, of the City of Lucas Comprehensive Plan including the Master Thoroughfare Plan and recommend proposed amendments if needed.**

The City Council reviewed amendments proposed to Chapter 7, Streets and Drainage of the Comprehensive Plan and had no further edits to the text proposed, but did additional time to review the Master Thoroughfare Plan regarding reclassification of certain roadways and right of way widths.

There was no formal action taken on this item.

Executive Session Agenda

11. **Executive Session: The City Council will convene into executive session pursuant to Texas Government Code 551.071(2) to consult with the City Attorney regarding the West Lucas Road widening project.**

The City Council convened into Executive Session at 8:58 pm to consult with the City Attorney regarding the West Lucas Road widening project.

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

The City Council reconvened from Executive Session at 9:24 pm and took no action as a result of the Executive Session.

13. **Adjournment.**

MOTION: A motion was made by Councilmember Johnson, seconded by Mayor Olk to adjourn the meeting at 9:24 pm. The motion passed unanimously by a 7 to 0 vote.

APPROVED:



Mayor Jim Olk

ATTEST:



City Secretary Stacy Henderson

