



MINUTES CITY COUNCIL REGULAR MEETING

June 2, 2022 | 6:30 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 (*remote*)
Councilmember Debbie Fisher

City Staff Present:

City Manager Joni Clarke
City Secretary Stacy Henderson
Development Services Director Joe Hilbourn
Public Works Director Scott Holden
Assistant to the City Manager Kent Souriyasak
City Attorney Joe Gorfida
City Attorney Courtney Morris

The regular City Council meeting was called to order at 6:30 pm.

Citizen Input

1. Citizen Input

There was no citizen input at this meeting.

Community Interest

2. Items of Community Interest

Mayor Olk discussed events being held at the upcoming farmers markets, and the upcoming Art in Public Places display at City Hall in conjunction with Lovejoy High School.

Consent Agenda

3. Consent Agenda:

- A. Approval of the minutes of the May 19, 2022, City Council meeting.
- B. Approval of Ordinance 2022-06-00954 of the City of Lucas, Texas, amending the Code of Ordinances by amending Appendix C titled "Fee Schedule" amending Article 24.000 titled "Solid Waste Collection and Disposal" amending Section 24.100 titled "Monthly Rates" by amending monthly rates for residents; by Repealing Section 24.200 Refrigeration Appliances; by providing a repealing clause; providing a severability clause; providing a savings clause; and providing for an effective date beginning October 1, 2022.

- C. Authorize the Mayor to enter into an Interlocal Cooperation Agreement 2022-2026 with Collin County for shared maintenance of specific roadways in the City of Lucas.
- D. Approval of Resolution R 2022-06-00527 of the City of Lucas suspending the June 17, 2022 effective date of Oncor Electric Delivery Company's requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with the Steering Committee of cities served by Oncor to hire legal and consulting services and to negotiate with the company and direct any necessary litigation and appeals.

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

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

Executive Session Agenda

- 9. **The City Council will convene into Executive Session pursuant to Section 551.071 of the Texas Government Code to consult with the City Attorney regarding City of Lucas, Texas v. Robert Kubicek and the following real property: 2205 Estates Parkway, Lucas, Texas, In Rem, Cause No. 417-00147-2018 in the 417th Judicial District Court of Collin County, Texas.**

The City Council convened into Executive Session at 6:37 pm.

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

The City Council reconvened from Executive Session at 7:01 pm and took the following action:

MOTION: A motion made by Councilmember Baney, seconded by Councilmember Johnson to authorize the City Manager to negotiate an agreement between the City of Lucas and plaintiff Robert Kubicek of 2205 Estates Parkway, Lucas, Texas. The motion passed unanimously by a 7 to 0 vote.

The City Council moved back to Public Hearing Agenda Item No. 4.

Public Hearing Agenda

- 4. **Public hearing to consider adopting Ordinance 2022-06-00955 approving a specific use permit request by NDC Holdings on behalf of Lucas Retail Shopping Center to allow a drive-through restaurant on a proposed tract of land, zoned Commercial Business, being 1.619 acres, part of ABS A0821 William Snider Survey, Tract 16, 8.2121 acres, Collin County Texas, located at the southeast corner of South Angel Parkway and McGarity Lane.**

Development Services Director gave a presentation regarding the proposed specific use permit request and stated the Planning and Zoning Commission recommended approval of the request with the following conditions:

1. Tie the attached concept plan to the specific use permit
2. All exterior lighting be on a timer, that turns all lights except security lighting off thirty minutes after close of business, with lights shielded to prevent glare across property lines.
3. Hours of operation are 6:00 a.m. to 1:00 a.m.
4. A sign frame similar in nature to the existing monument signs along Angel Parkway, shaped like an L with a decorative top.

The City Council discussed traffic on McGarity Road and the need for possible roadway improvements in the future along with impact fees that would be collected for this project.

Mayor Olk suggested that as part of the conditions recommended by the Planning and Zoning Commission, language be added to include the masonry monument sign also include a masonry sign base.

The public hearing was opened at 7:08 pm, there being no one requesting to speak, the public hearing was closed.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Keer to adopt Ordinance 2022-06-00955 approving a specific use permit on behalf of the Lucas Retail Shopping Center to allow a drive-through restaurant on a tract of land, zoned Commercial Business, being 1.619 acres, part of ABS A0821 William Snider Survey, Tract 16, 8.2121 acres, Collin County Texas, located at the southeast corner of South Angel Parkway and McGarity Lane with the below conditions. The motion passed unanimously by a 7 to 0 vote.

- (1) The Property shall be developed in accordance with the Zoning Concept Plan attached as part of the ordinance as Exhibit "B".
- (2) All exterior lighting will be on a timer that turns all lights, except security lighting off, thirty (30) minutes after close of business.
- (3) Allowed hours of operation shall be 6:00 a.m. to 1 :00 a.m.
- (4) No glare directly or indirectly shall be created at the property line from luminaires.
- (5) Signage shall include a monument sign consistent with other masonry monument signs along Angel Parkway, shaped like an L with a decorative top, and a masonry base.

5. **Public hearing to consider adopting Ordinance 2022-06-00956 approving a specific use permit request by Adam and Eve Fowles, property owners of 1745 Stinson Road, in the Lozano Addition, Part of Lot 2 to allow a kitchen and food preparation area in an accessory building with habitable space.**

The City Council discussed their concerns related to the size of accessory buildings allowed within residential and agricultural zoning districts, as well as concerns regarding larger lots that could be subdivided in the future. The Council discussed zoning regulations and setback requirements should a lot be subdivided.

The City Council recommended the Planning and Zoning Commission at a future meeting review the allowable size of accessory buildings and the number of allowable homes and/or accessory buildings per acre.

The public hearing was opened at 7:22 pm.

Adam Fowles, property owner of 1745 Stinson, explained that the accessory building would be used as a home for his parents.

The public hearing was closed at 7:25 pm.

MOTION: A motion was made by Mayor Olk seconded by Councilmember Lawrence to adopt Ordinance 2022-06-00956 approving a specific use permit for Adam and Eve Fowles, for the property located at 1745 Stinson Road, in the Lozano Addition, part of Lot 2 allowing a kitchen and food preparation area in an accessory building with habitable space. The motion passed by a 4 to 3 vote with Councilmember Fisher, Councilmember Baney and Mayor Pro Tem Peele voting in opposition.

Regular Agenda

6. Consider the Land Use Map and Zoning Map of the City of Lucas Comprehensive Plan and recommend proposed amendments if needed.

The City Council discussed updates to the Zoning and Land Use Maps and properties that had not yet been annexed into the City. Councilmember Fisher noted one correction to the Land Use Map on the Legend, to update R-1 zoning to one acre, currently it states two acres.

There was no formal action taken on this item.

7. Consider nominations of a primary and alternate member to the North Central Texas Council of Governments Regional Transportation Council.

Mayor Olk notified the Council that these positions had already been filled by the Regional Transportation Council and therefore, no vote was required. There was no action taken on this item.

8. Consider Resolution R 2022-06-00528 opposing alternatives proposed by the Texas Department of Transportation (TxDOT) regarding the proposed Country Club Road (FM 1378) expansion.

Mayor Pro Tem Peele prepared a Resolution opposing the alternatives proposed by TxDOT regarding the Country Club Road, FM 1378 expansion and read the Resolution aloud.

The following individuals came forward to express their opposition to the expansion of Country Club Road, FM 1378.

Kathy Hufstetler, 18 Glenbrook
Steve Hufstetler, 18 Glenbrook

Councilmember Johnson recommended Section 6 of the Resolution be removed as it was a duplicate to Section 4.

MOTION: A motion was made by Councilmember Fisher seconded by Councilmember Lawrence to approve Resolution R 2022-06-00528 opposing alternatives proposed by the Texas Department of Transportation regarding the proposed Country Club Road (FM 1378) expansion. The motion to oppose the Resolution passed unanimously by a 7 to 0 vote.

11. Adjournment.

MOTION: A motion was made by Councilmember Johnson, seconded by Councilmember Lawrence to adjourn the meeting at 7:57 pm. The motion passed unanimously by a 7 to 0 vote.

APPROVED:



Mayor Jim Olk

ATTEST:



City Secretary Stacy Henderson

