



MINUTES CITY COUNCIL REGULAR MEETING

August 4, 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
Assistant to the City Manager Kent Souriyasak
Development Services Director Joe Hilbourn
Public Works Director Scott Holden
Assistant 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:

A. Presentation of Proclamation to the Lucas Farmers Market for their continued commitment and contribution to the citizens of Lucas.

Mayor Olk presented the Proclamation to the Lucas Farmers Market for their continued commitment and contribution to the citizens of Lucas. Bill Esposito, Lucas Farmers Market Committee Chair was present to accept the Proclamation.

Mayor Olk indicated the next Lucas Farmers Market will be held on Saturday, August 13, 2022, and will feature a back-to-school event and Representative Candy Noble will be presenting a resolution to the Lucas Farmers Market. Mayor Olk reminded residents to conserve water as a mandatory water conservation is in effect. Mayor Olk indicated the Public Lands Trail Cleanup will be held on Saturday, September 17, 2022, at the Highland Park Trailhead. Mayor Olk explained the trail cleanup will also feature raptor displays from the Blackland Prairie Raptor Center and stream water trailer from the North Texas Municipal Water District.

Consent Agenda

3. Consent Agenda:

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

- B. Authorize the City Manager to execute the Cooperative Purchasing Interlocal Agreement between the City of Lucas and the Town of Highland Park.**

MOTION: A motion was made by Mayor Pro Tem Peele, 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 2022-08-00535 approving amendments to building setbacks, lot line definition, building line definition, and lot width requirements in all residential zoning districts.**
 - A. Presentation by Development Services Director Joe Hilbourn**
 - B. Conduct public hearing**
 - C. Take action regarding proposed zoning amendments**

Development Services Director Joe Hilbourn presented on this agenda item.

City Council requested an illustration and description of the side yard adjacent to a neighbor's yard.

Assistant City Attorney Courtney Morris indicated there is a typographical error under the definition of "Side Yard" where the word "There" should not be capitalized. Ms. Morris clarified that the word "servant" in staff's recommendation was removed as it relates to accessory building information that was pulled out and not a part of this ordinance.

Mayor Olk indicated there is also a typographical error under the definition of "Yard" where the word "obstructed" should be "unobstructed".

Mayor Olk also indicated to add the word "that" under the definition of "Front Yard" where the language should read, "Where a building line is established on a plat, which is not consistent with this ordinance, the building line that is a greater distance from the front property line shall be observed".

Mayor Olk proposed this ordinance to be brought back with an illustration to be approved. Mayor Olk clarified this does not have to go back to the Planning and Zoning Commission.

The public hearing opened at 6:54 pm. There was no one wishing to speak on this agenda item.

The public hearing closed at 6:54 pm.

Mayor Olk proposed to table this agenda item until the ordinance is brought back with an illustration at a future meeting.

MOTION: A motion was made by Councilmember Baney, seconded by Councilmember Keer to table this agenda item. The motion passed unanimously by a 7 to 0 vote.

Regular Agenda

5. **Consider authorizing the Development Services Director to issue a permit to Rajesh Singh to allow incidental work (without the use of loud power tools) on property he owns located at 1405 Holyoak Lane until 8:00 p.m. (excluding Sundays) expiring on Friday, September 2, 2022, at 8:00 p.m.**

Development Services Director Joe Hilbourn presented on this agenda item.

City Council discussed types of noise levels during non-work hours inside and outside the home. Mr. Hilbourn indicated that work inside the home without noise is not offensive, but the use of loud power tools outside the home will disturb neighbors.

Rajesh Singh, 1405 Holyoak Lane, discussed his concerns regarding work at his property. Mr. Singh indicated his only request is to work after hours as most of the work is done during approved hours for construction.

City Council discussed the noise concerns and the exception for construction work per the Code of Ordinances Section 3.01.010 indicating construction work and the use of any tools or equipment used in construction, drilling or demolition work shall be permitted and lawful only between the hours of 7:00 am and 6:00 pm, Monday through Saturday. City Council indicated there is a violation if noise occurs during afterhours.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Johnson to deny the Development Services Director to issue a permit to Rajesh Singh to allow incidental work (without the use of loud power tools) on property he owns located at 1405 Holyoak Lane until 8:00 p.m. (excluding Sundays) expiring on Friday, September 2, 2022, at 8:00 p.m. The motion passed unanimously by a 7 to 0 vote.

6. **Consider a request by City of Lucas resident Tony Prutch to waive the requirements per Article 13.06 Solid Waste, Division 2 Collection, Section 13.06.033 in the City's Code of Ordinances to continue using a dumpster for personal use at the front of his residential property located at 910 West Blondy Jhune Road.**

Development Services Director Joe Hilbourn presented on this agenda item.

Tony Prutch, 910 West Blondy Jhune Road, indicated he needed a viable solution for trash as he does not have enough trash cans to handle trash accumulation per week.

City Council discussed the amount of trash accumulation from the household and if the dumpster could be moved further back, behind the house or accessory building.

Mr. Hilbourn indicated the City does require a dumpster onsite during construction.

City Council inquired if Barnes Waste Disposal or an outside contractor picks up trash from the dumpster. Assistant City Attorney Courtney Morris indicated there may be a problem with the City's trash contractor since all trash should be collected by the contractor.

City Manager Joni Clarke indicated dumpsters are defined loosely and this warrants further research. Ms. Clarke explained there are circumstances where dumpsters may contain household waste and manure. Ms. Clarke indicated staff will send information regarding dumpsters to City Council.

Greg Jacobs, 1415 Ford Lane, spoke in opposition to this agenda item.

Mayor Olk read public comment emails from the following citizens:

- Deborah Jacobs, 1415 Ford Lane, indicated opposition to this agenda item.
- Adam Sussman, 940 North Winningkoff Road, indicated opposition to this agenda item.
- Kieri Winters, 1500 Snider Court, indicated opposition to this agenda item.

City Council discussed further looking into the dumpster issue and requested a list of all dumpsters located within the city and to review ordinances.

Mayor Olk proposed to table the agenda item and request staff to provide a report. City Council was in agreement to table this agenda item.

7. Presentation by the North Texas Municipal Water District regarding the recommendation to add a truck wash station at the Wilson Creek Regional Wastewater Treatment Plant.

Councilmember Debbie Fisher introduced David Brewster, Assistant Deputy of Wastewater at North Texas Municipal Water District (NTMWD) who is present with his team to give a presentation regarding the Wilson Creek Regional Wastewater Treatment Plant.

Morgan Dadgostar, Regional Wastewater System Manager at NTMWD gave a presentation on this agenda item. Morgan Dadgostar discussed the processes and equipment used for odor control management.

City Council inquired about the process for truck washing before at the landfill and after at the treatment plant. Ms. Dadgostar indicated there are currently no means for washing at the landfill. Mr. Brewster indicated trucks are washed weekly but there are issues with runoff and where it goes to at the landfill.

Mayor Pro Tem Peele indicated there is an RV (recreational vehicle) located near the treatment plant. Mr. Brewster indicated no one lives at the site and will investigate. City Manager Joni Clarke will be in contact with Mr. Brewster to provide further information.

Mr. Brewster indicated NTMWD recommends developing an interlocal agreement with the City of Lucas to add a container wash station to improve air quality within the facility and throughout the biosolids transportation route.

MOTION: A motion was made by Councilmember Fisher, seconded by Councilmember Baney to approve developing an interlocal agreement with the North Texas Municipal Water District for a truck wash station at the Wilson Creek Regional Wastewater Treatment Plant. The motion passed unanimously by a 7 to 0 vote.

Mr. Brewster continued with the presentation to provide an update regarding trends in water demand. Mr. Brewster discussed the ongoing regional drought, water resource, and emergency management plan. Billy George, Deputy Director of Water and Wastewater at NTMWD provided clarification regarding the emergency management plan.

City Council thanked NTMWD for the communication and updates.

- 8. Consider entering into a Public Improvement Participation Agreement with Farmstead Estates Phase Two; appropriate funding in the amount of \$199,075 from unrestricted General Fund Reserves for detention of excess offsite stormwater runoff; and authorize the City Manager to execute the agreement.**

Development Services Director Joe Hilbourn presented on this agenda item.

Brad Livingstone, 9 Orchard Road, provided comments regarding drainage along his property and in the neighborhood.

Mr. Hilbourn clarified work is being performed in sequential order to address drainage.

City Manager Joni Clarke indicated a drainage meeting will be held in September and email will be sent out to the neighbors.

MOTION: A motion was made by Councilmember Baney, seconded by Councilmember Keer to approve entering into a Public Improvement Participation Agreement with Farmstead Estates Phase Two; appropriate funding in the amount of \$199,075 from unrestricted General Fund Reserves for detention of excess offsite stormwater runoff; and authorize the City Manager to execute the agreement. The motion passed unanimously by a 7 to 0 vote.

City Council went into a break at 9:03 pm.

City Council returned from the break at 9:10 pm.

- 9. Consider adopting Ordinance 2022-08-00534 amending the Code of Ordinances Chapters 1 and 3 to clarify provisions relating to the Building and Standards Commission.**

Development Services Director Joe Hilbourn presented on this agenda item.

Assistant City Attorney Courtney Morris indicated she prepared the amended ordinances and explained that the Building and Standards Commission consist of the same members of the Board of Adjustment but serves as a separate commission. Mayor Pro Tem Peele indicated Ms. Morris provided training to the Building and Standards Commission which consist of citizens who devote their time and take their obligations seriously to other citizens.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Johnson to approve adopting Ordinance 2022-08-00534 amending the Code of Ordinances Chapters 1 and 3 to clarify provisions relating to the Building and Standards Commission. The motion passed unanimously by a 7 to 0 vote.

10. Consider board applications to fill a vacant alternate position on the Parks and Open Space Board with a term expiring December 31, 2023.

Assistant to the City Manager/Interim City Secretary Kent Souriyasak indicated Laura Howard has resigned as Alternate Member 1 from the Parks and Open Space Board. Mr. Souriyasak indicated there is a vacancy for City Council to consider filling based on the volunteer applications for boards and commissions.

Councilmember Baney recommends skipping the interview process and indicated there are two applicants who spent a large amount of time volunteering. Councilmember Baney suggested nominating John Elliott for the Alternate 2 position and moving Laura Giles to the Alternate 1 position.

Bill Esposito, 13 North Star Road, indicated John Elliott takes on an active role at the Lucas Farmers Market.

Councilmember Baney indicated John Elliott is a hard worker and will do an exceptional job.

Councilmember Fisher vouched for John Elliott and his willingness to take on a more leadership role.

MOTION: A motion was made by Councilmember Baney, seconded by Councilmember Fisher to promote Alternate Member 2 to Alternate Member 1 of the Parks and Open Space Board with a term expiring of December 31, 2023. The motion passed unanimously by a 7 to 0 vote.

MOTION: A motion was made by Councilmember Baney, seconded by Councilmember Fisher to appoint John Elliott as Alternate Member 2 to the Parks and Open Space Board with a term expiring December 31, 2022. The motion passed unanimously by a 7 to 0 vote.

Executive Agenda

11. Executive Session: An Executive Session is not scheduled for this meeting.

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; therefore, no action was taken.

13. Adjournment.

MOTION: A motion was made by Councilmember Johnson, seconded by Councilmember Lawrence to adjourn the meeting at 9:18 pm. The motion passed unanimously by a 7 to 0 vote.

APPROVED:



Mayor Jim Olk

ATTEST:



Assistant to the City Manager/
Interim City Secretary Kent Souriyasak

