

**MINUTES
CITY COUNCIL REGULAR MEETING**

December 15, 2022 | 6:30 PM

Council Chambers

City Hall | 665 Country Club Road, Lucas, Texas

City Councilmembers Present:

Mayor Jim Olk
Mayor Pro Tem Kathleen Peele
Councilmember Tim Johnson
Councilmember Tim Baney
Councilmember Phil Lawrence (*remote*)

City Staff Present:

City Manager Joni Clarke
Public Works Director Scott Holden
City Secretary Erin Day
City Attorney Joe Gorfida
Development Services Director Joe Hilbourn
Contract Engineer Joe Grajewski

City Councilmembers Absent:

Councilmember David Keer
Councilmember Debbie Fisher

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

Citizen Input

1. Citizen Input

There were no citizens wishing to address the City Council.

Community Interest

2. Items of Community Interest

Mayor Olk gave items of community interest including: recap of Holiday Donation Drive, recap of Country Christmas, Service Tree Nominations, and Community Waste Disposal procedures during the Christmas Holiday.

Public Hearing

- 3. Hold a Public Hearing to consider adopting Ordinance 2022-12-00963 approving the rezoning request made by Sudhir Sakaria with 3R Land Properties L.C., property owner, to rezone 4 parcels of land on the north side of Parker Road from Residential R1.5 acres to Residential 1 acre, situated in the Lewis P. Turner Survey, Abstract No. 901, Tract 4, 2.280 acres and Tract 5, 3.9943 acres, and the John Gray Survey, Abstract No. 349, Tract 6, 8.5 acres and Tract 7, 10.296 acres.**

Mayor Olk convened the City Council into Executive Session seeking legal advice from the City Attorney, as authorized by Section 551.071 of the Texas Government Code, at 6:38 p.m.

Mayor Olk reconvened the City Council into Open Session at 6:51 p.m.

Development Services Director Joe Hilbourn gave a presentation including: background information on the request, location of the property, zoning depiction, proposed concept plan, and recommendations.

Mayor Olk opened the Public Hearing at 6:53 p.m.

The owner of the property, Sudhir Sakaria, spoke advising he is only asking for what the land is planned for on the Future Land Use Map, which is R1 (Residential 1 acre).

Jack Dunaway, 2 Santa Fe Trail, spoke in opposition advising Collin County guidelines state on-site sewage facilities could cause pollution and may be a danger to public health, therefore platted or unplatted subdivisions using on-site sewage systems must have a usable area of 1.5 acres. Mayor Olk advised that is the guideline only if the property has a well. Mr. Dunaway advised the property has runoff and that the runoff will go into the creek which will feed into other water sources.

Dawn Pemberton, 1 Chisolm Trail, spoke in opposition advising her property is across the street from the proposed rezoning request. She advised her property is 1.5 acres and she has a septic system, and even hers can be overloaded when there is heavy rain. She also advised her background is in real estate and she believes that smaller 1 acre lots will make the area more crowded and less attractive. She believes the values would be negatively impacted.

Olivia Welkener, 12 Santa Fe Trail, spoke in opposition stating the sewage would be an issue and home values would go down. She also asked if the drainage is going to be appropriate for the area. She advised they already have an issue with drainage on their property.

Josh Patterson, 10 Santa Fe Trail, also spoke in opposition. He asked if there has been any analysis on the drainage for the proposed property. He also asked if there has been an analysis on future revenue from a tax standpoint. Mayor Olk advised Mr. Paterson that he could get in touch with Development Services Director Joe Hilbourn for requirements on drainage, and that this Public Hearing does not cover revenue analysis because it is specifically for the zoning request.

Mayor Olk advised Section 14.02.063 of the Code of Ordinances requires that for a decision made by the Planning and Zoning Commission to be overturned, it must be done so by a vote of 75 percent of the City Council, therefore no action could be taken without at least one more councilmember present.

MOTION: A motion was made by Mayor Olk, seconded by Mayor Pro Tem Peele, to continue the Public Hearing until the next City Council meeting on January 5, 2023 at 6:30 p.m. The motion passed unanimously by a 5 to 0 vote, with Councilmembers Fisher and Keer absent.

Consent Agenda

4. Consent Agenda:

- A. Approval of the minutes of the December 1, 2022 City Council meeting.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Baney, to approve the Consent Agenda as presented. The motion passed unanimously by a 5 to 0 vote, with Councilmembers Fisher and Keer absent.

Regular Agenda

5. **Discuss the Texas Department of Transportation (TxDOT) intersection improvement project located at FM 1378 at FM 3286 (commonly referred to as the Bait Shop Intersection).**

Mayor Pro Tem Peele advised her concern is access into and out of the neighborhood by the Bait Shop and Lucas Road. She advised Public Works Director Scott Holden had made a request to Jennifer Vorster with TxDOT for some information on what TxDOT would be willing to do to help with the issues in that area. Mayor Pro Tem Peele advised TxDOT is not in favor of a left-hand turn into or out of Cedar Bend Trail because they believe that it would shorten the available storage in the turn lane, causing traffic to stack. Mayor Pro Tem Peele advised she is questioning them because the biggest problem is traffic being heaviest in the morning going west and in the evening going east. Mayor Pro Tem Peele believes that even if traffic stacks up, it is not as big of a concern as cutting off access to the neighborhood. Mayor Pro Tem Peele asked Mr. Holden to impress upon TxDOT to be accommodating to the people who live in that area not having access in or out. She also advised Edgefield Lane is also a significant traffic concern with people trying to enter or exit. She advised TxDOT's offer was to widen the entrance to Edgefield Lane. The City Council discussed the proposed roadway changes from TxDOT and gave direction to Mr. Holden to ask TxDOT for more clarification and to bring back further information at a future City Council meeting date.

MOTION: There was no motion needed for this item.

Executive Agenda

6. **Executive Session: As authorized by Section 551.074 of the Texas Government Code, the City Council may convene into closed Executive Session to deliberate the appointment of a member to the Board of Adjustment. This meeting is closed to the public as provided in the Texas Government Code.**

The City Council adjourned into Executive Session at 7:23 p.m.

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

The City Council reconvened into Regular Session at 7:34 p.m.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Lawrence, to appoint Frank Hise to the Board of Adjustment as Alternate 1 for a term beginning on January 1, 2023 and expiring on December 31, 2024. The motion passed unanimously by a 5 to 0 vote, with Councilmembers Fisher and Keer absent.

9. **Adjournment.**

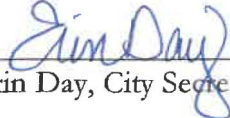
MOTION: A motion was made by Councilmember Johnson, seconded by Councilmember Lawrence, to adjourn the meeting at 7:35 pm. The motion passed unanimously by a 5 to 0 vote, with Councilmembers Fisher and Keer absent.

APPROVED:



Mayor Jim Olk

ATTEST:



Erin Day, City Secretary