



City Councilmembers Present:

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

City Councilmembers Absent:

Councilmember Philip Lawrence

City Staff Present:

City Manager Joni Clarke
Assistant City Manager Kent Souriyasak
Public Works Director Scott Holden
Development Services Director Joe Hilbourn
CIP Manager Patrick Hubbard
City Secretary Erin Day
Management Analyst Joshua Menhennett
City Attorney Courtney Morris (*video conference*)
Deputy Nicholas Noel

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

Citizen Input

1. Citizen Input

Community Interest

2. Items of Community Interest

Mayor Olk gave items of community interest including:

- Launching of GovQA Service Request Center
- Keep Lucas Beautiful Spring Cleanup
- Founders Day
- Farmers Market
- Community CPR Class
- Styrofoam Recycling Cancellation

City Secretary Erin Day introduced new Management Analyst Joshua Menhennett.

Consent Agenda

3. Consent Agenda:

- A. Memorandum to the City Council of the automatic renewal of the Interlocal Agreement with Lovejoy ISD for Emergency Medical Services and providing an overview of the cost and burden to Lucas Fire-Rescue during the 2022 football season.

- B. Approval of Ordinance 2023-03-00972 declaring unopposed candidates in the May 6, 2023 General Election to be elected to office, cancelling the May 6, 2023 General Election and providing an effective date.
- C. Approval of the minutes of the February 16, 2023 City Council meeting, the February 23, 2023 City Council Special Called meeting, and the February 23, 2023 City Council and Planning and Zoning Commission Joint Special Called meeting.

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 6 to 0 vote, with Councilmember Lawrence absent.

Public Hearing

4. **Conduct a public hearing and consider approval of amendments to the Land Use Assumptions, Capital Improvement Plan and Water and Roadway Impact Fee Report.**
 - A. **Presentation by CIP Manager Patrick Hubbard**
 - B. **Conduct public hearing**
 - C. **Take action regarding approval of amendments to the Land Use Assumptions, Capital Improvement Plan, and Water and Roadway Impact Fee Report**

CIP Manager Patrick Hubbard gave a presentation explaining this public hearing is to allow public input on the impact fee report prepared by Birkoff, Hendricks & Carter, L.L.P. and the Engineering department of the City, and to receive public comment on the technical analysis of the cost of future development.

Gary Hendricks of Birkoff, Hendricks & Carter, L.L.P. gave a presentation on the Water Distribution System Impact Fee, Capital Improvement Plan and Capital Recovery Projects, including; land use assumptions for the next ten years, population projections, map of facilities in the Capital Improvement Plan, list of projects that are eligible for impact fee recovery, opinion of probable cost of projects over the next ten years, project costs for existing water lines and existing water supply, pumping and storage facilities, projected future capacity costs, living unit ratios per meter size, and total allowable cost of impact fees.

Mayor Olk pointed out a discrepancy between the PowerPoint presentation being presented and what was in the agenda packet. Mr. Hendricks explained the PowerPoint slide is incorrect and the published report has the correct information.

Mayor Olk asked could impact fees apply to a new meter installed if there are additional dwelling units added to a property. Mr. Hendricks explained the fee would apply if there is a new meter installed.

Kelly Parma of Lee Engineering continued the presentation regarding the roadway impact fee including roadway impact fee limited to city limits, ten year land use assumptions for roadways, capital recovery projects related to roadways for the next ten years, service unit estimates based on vehicle use, cost of thoroughfare attributed to growth, and maximum roadway impact fee allowed, and sample costs per single-family dwelling unit or shopping center.

Mayor Olk asked could there be an additional roadway fee charged if there was an additional dwelling unit on a lot. Mr. Parma advised he believes it would be charged per permit issued depending on city ordinances. Councilmember Fisher suggested that City Council look into fees that could be accessed due to the impact accessory dwelling units are having on the city.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Johnson, to approve the Land Use Assumptions, Capital Improvement Plan and Water and Roadway Impact Fee Report as presented. The motion passed unanimously by a 6 to 0 vote, with Councilmember Lawrence absent.

5. **Conduct a public hearing and consider a request by Billy Ray and Sharon McGee, property owners of 1050 Creek View Lane, Willow Creek Acres (Unrecorded), Lot 36 for a specific use permit to allow a kitchen and food preparation area in an accessory building with habitable space.**

- A. **Presentation by Development Services Director Joe Hilbourn**
- B. **Conduct public hearing**
- C. **Take action regarding the proposed specific use permit request**

Development Services Director Joe Hilbourn gave a presentation highlighting the location of the property, site plan, layout, elevations, and staff recommendations.

Mayor Olk asked if there was a three compartment sink in the building as it appears in the layout, and why it is needed. Mr. Hilbourn advised it is for a future bathroom and for washing vehicles in the garage area. Councilmember Fisher asked if the whole building is counted as habitable space. Mr. Hilbourn advised the habitable area is only counted and it is 837 square feet, with the total building being 1,219 square feet.

Mayor Olk suggested continuing the public hearing at the March 16, 2023 City Council meeting to allow the applicant to come and answer questions from the City Council.

Mayor Olk opened the public hearing at 7:15 pm.

MOTION: A motion was made by Mayor Olk, seconded by Councilmember Baney, to continue the public hearing at the March 16, 2023 at 6:30 pm for the request by Billy Ray and Sharon McGee, property owners of 1050 Creek View Lane, Willow Creek Acres (Unrecorded), Lot 36 for a specific use permit to allow a kitchen and food preparation area in an accessory building with habitable space, in order to hear testimony from the owner and the public. The motion passed unanimously by a 6 to 0 vote, with Councilmember Lawrence absent.

6. **Conduct a public hearing and consider a request by Charles and Elise Bissell, property owners of 1220 Winningkoff Road, Rolling Hills Estates, Block A, Lot 1 for a specific use permit to allow a kitchen and food preparation area in an accessory building with habitable space.**

Development Services Director Joe Hilbourn gave a presentation advising that the applicant is requesting to amend a previously approved plan by adding a kitchen.

Mr. Hilbourn gave statements from the owner and information regarding the location, site plan, unit plan, elevations, and staff recommendations. Mr. Hilbourn noted that the total building is 2,400 square feet, with 1,300 square feet being habitable space.

Mayor Olk advised the building appears to be set up as a guest house, without interchanging access from the garage or office area. Mayor Olk recommended that the City Council limit the size of the guest house to around 800 square feet, and to allow the specific use permit for a kitchen with the size limit as a stipulation.

Mayor Olk opened the public hearing at 7:22 pm.

There were no members of the public requesting to speak on this item.

Mayor Olk closed the public hearing at 7:22 pm.

MOTION: A motion was made by Mayor Olk, seconded by Councilmember Fisher, to approve the request by Charles and Elise Bissell, property owners of 1220 Winningkoff Road, Rolling Hills Estates, Block A, Lot 1 for a specific use permit to allow a kitchen and food preparation in an accessory building with habitable space, with the condition that the guest house/apartment area be limited to 800 square feet with no additional interconnection between other parts of the building and the habitable space. The motion passed unanimously by a 6 to 0 vote, with Councilmember Lawrence absent.

7. Consider the acceptance and approval of the City of Lucas Annual Comprehensive Financial Report (ACFR) for Fiscal Year 2021-2022 presented by Susan LaFollett from Vail & Park, P.C.

Mike Vail of Vail & Park, P.C. gave a presentation via video conference highlighting the objectives of the audit that was performed, the full scope of the audit, the breakdown of the Annual Comprehensive Financial Report, commendations on the Finance Department receiving the Certificate of Achievement for Excellence in Financial Reporting for the 12th consecutive year, overview of the audit report, net position of the city, governmental activities revenues, governmental activities expenses, general fund balances, and water and sewer fund balances.

Councilmember Keer complimented the financial team on their work.

MOTION: A motion was made by Councilmember Fisher, seconded by Councilmember Baney, to approve the City of Lucas Annual Comprehensive Financial Report (ACFR) for Fiscal Year 2021-2022 as presented. The motion passed unanimously by a 6 to 0 vote, with Councilmember Lawrence absent.

8. Discuss the City of Lucas Thoroughfare Plan.

Mayor Olk advised there was previous discussion about Stinson Road being moved to meet Country Club Road and West Lucas Road.

Mayor Pro Tem Peele advised that a former engineer proposed having the road meet Country Club Road at the traffic light.

Councilmember Baney indicated he thought the City Council decided this was not a viable option.

Mayor Pro-Tem Peele noted the City Council had approved putting in a four-way stop in preparation for Stinson Road to be moved to the intersection.

Councilmember Johnson advised there is also a new house being built where the proposed intersection is located. Councilmember Johnson asked if the road curved around to meet Stinson Road and if that would take away from the church parking lot. Mayor Olk indicated that it would.

Mr. Hilbourn advised the new development on 995 West Lucas Road allots for the proposed roadway plans in front of the development.

After discussion from the City Council on suggestions for the roadway, Mayor Olk directed staff to make adjustments and bring an aerial map with proposed plans to the next City Council meeting.

MOTION: There was no motion needed for this item.

9. Consider a request by Wylie Northeast Special Utility District to amend its Certificate of Convenience and Necessity to provide sewer utility service to two areas.

Development Services Director Joe Hilbourn advised the Wylie Northeast Special Utility District is trying to expand their service area into a development in Inspiration and one at the intersection of Parker Road and Southview Drive, which is a proposed gas station and carwash. Mr. Hilbourn advised the City Council has three options: to support the request, to deny the request, or to remain a neutral party to the request.

Councilmember Johnson asked if the City of Lucas is the only option for the services requested. Mr. Hilbourn advised if the City of Lucas opposes the request, there will have to be a public hearing, and that another entity may oppose it and force a public hearing as well.

Councilmember Fisher asked if this is referencing the area where residents were concerned about flooding from county properties. Mr. Hilbourn advised this is the Seis Lagos property where residents have significant drainage concerns.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Johnson, to remain a neutral party to the Wylie Northeast Special Utility District intent to amend its Certificate of Convenience and Necessity to provide sewer utility service to two areas. The motion passed unanimously by a 6 to 0 vote, with Councilmember Lawrence absent.

Executive Agenda

10. Executive Session:

- A. As authorized by Section 551.071 of the Local Government Code, the City Council may convene into Executive Session to consult with the attorney on a matter in which the attorney's duty to the governmental body under the Texas Disciplinary Rules of Professional Conduct conflicts with this chapter, to-wit: obtain legal advice on result of SUP audit.

- B. As authorized by Section 551.071 of the Local Government Code, the City Council may convene into Executive Session to consult with the attorney on a matter in which the attorney's duty to the governmental body under the Texas Disciplinary Rules of Professional Conduct conflicts with this chapter, to-wit: obtain legal advice on property rental regulations and short-term property rental regulations.
- C. As authorized by Section 551.071 of the Local Government Code, the City Council may convene into Executive Session to consult with the attorney on a matter in which the attorney's duty to the government body under the Texas Disciplinary Rules of Professional Conduct conflicts with this chapter, to-wit: obtain legal advice regarding cottage food production operation zoning law.

Mayor Olk advised that the items scheduled for the executive session will be postponed until the March 16, 2023 City Council meeting.

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

MOTION: A motion was made by Councilmember Johnson, seconded by Mayor Pro Tem Peele, to adjourn the meeting at 7:49 pm. The motion passed unanimously by a 6 to 0 vote, with Councilmember Lawrence absent.

APPROVED:



Mayor Jim Olk

ATTEST:



Erin Day, City Secretary

