**MINUTES**

**CITY COUNCIL REGULAR MEETING**

March 2, 2023 | 6:30 PM

Council Chambers

City Hall | 665 Country Club Road, Lucas, Texas

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| **City Councilmembers Present:**  Mayor Jim Olk  Mayor Pro Tem Kathleen Peele  Councilmember Tim Johnson  Councilmember David Keer  Councilmember Tim Baney  Councilmember Debbie Fisher | **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 Anaylyst Joshua Menhennett  Deputy Nicholas Noel |

The regular City Council meeting was called to order at X:XX pm.

**Citizen Input**

**1. Citizen Input**

**Community Interest**

**2. Items of Community Interest**

Mayor Olk gave items of community interest including:

* GovQa

**Consent Agenda**

**6. Consent Agenda:**

1. 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.
2. 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.
3. 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.**

1. **Presentation by CIP Manager Patrick Hubbard**
2. **Conduct public hearing**
3. **Take action regarding approval of amendments to the Land Use Assumptions, Capital Improvement Plan, and Water and Roadway Impact Fee Report**

**Council Comments**

CIP Manager Patrick Hubbard explained that staff’s intent is for Council to approve adopting the amendments for the total fee. Mr. Hubbard introduced Gary Hendricks of Birkhoff, Hendricks & Carter, LLC.

Mr. Hendricks gave a presentation explaining that impact fees are a method for the City to take the capital improvements that have been made and equitably charge new development. Mr. Hendricks explained they try to understand what land use and growth looks like over the next ten years. They looked at proposed population projections for the next 10 years, which appears will grow to 12,094 at build out. He explained the 10 year capital improvement map for impact fees and water system improvements. They also captured facility impact fees. He explained 26 projects that are eligible for impact fee recovery. He gave a list of existing facilities…

Add up all of the eligible $3.2 million dollars and recommends adopting the maximum.

**MOTION**: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Johnson, to approve the amendments to 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, the site plan, the layout, elevations, side view, and staff recommendations.

Mayor Olk asked if there was a three compartment sink in the building. Mr. Hilbourn advised that it is to be for washing vehicles. Councilmember Fisher asked if the whole building is counted as habitable space.

Mayor Olk requested to table the item and continue the public hearing.

Public hearing was opened at 7:15 pm.

**MOTION**: A motion was made by Mayor Olk, seconded by Councilmember Baney, to continue the public hearing 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 as presented. 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.**

Mr. Hilbourn gave a presentation advising that the applicant is requesting to add a kitchen to this previously approved item. He gave statements from the owner, location, site plan, unit plan, elevations, and staff recommendations.

Mayor Olk asked what the total square footage is of the guest quarters without the gym and man cave. Mayor Olk advised the gym and man cave are separate, so it appears the guest house is limited to 750 square feet and is truly set up as a guest house.

Councilmember Baney advised it truly is made to look like a barn.

Public Hearing opened at 7:22 pm.

Closed at 7:22 pm.

**MOTION**: A motion was made by mayor olk, seconded by fisher, to approve 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 as presented, limiting the guest house area to 800 square feet and not allowing additional interconnection to other parts of the buiding. 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 gave the presentation instead of Susan.

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

**8. Discuss the City of Lucas Thoroughfare Plan.**

Councilmember Baney advised that he thought the Council had decided this was not a viable option. Mayor Olk having Stinson Road tie in where the current intersection is would be a viable option.

Council directed staff to put the recommended plan in the map and bring it back to Council what the impact would be with an ariel.

**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.**

Mr. Hilbourn advised they are trying to expand into a development in Inspiration and one at the intersection of Parker and Southview Drive, which is a proposed gas station and carwash. The city can either support it, or oppose it, or remain neutral.

**MOTION**: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Johnson, to remain a neutral party to a request by Wylie Northeast Special Utility District 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**

Mayor Olk advised the executive sessions will be postponed until next meeting.

Mayor Olk convened the City Council into Executive Session at \_\_\_\_\_.

**10. Executive Session:**

1. 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.
2. 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.
3. 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.

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

Mayor Olk reconvened into Regular Session at \_\_\_\_\_.

**12. Adjournment.**

**Adjourned 7:49 p**

**MOTION**: MOTION: A motion was made by \_Johnson\_\_\_\_\_\_, seconded by \_\_\_\_\_\_MPT\_\_\_, to adjourn the meeting at \_\_\_\_\_. The motion passed unanimously by a 6 to 0 vote, with Councilmember Lawrence absent.

APPROVED: ATTEST:

Mayor Jim Olk Erin Day, City Secretary