



City Councilmembers Present:

Mayor Pro Tem Kathleen Peele
Councilmember Tim Johnson
Councilmember David Keer
Councilmember Phil Lawrence (*video conference*)
Councilmember Debbie Fisher
Councilmember Dusty Kuykendall

City Councilmembers Absent:

Mayor Jim Olk

City Staff Present:

City Manager Joni Clarke
Assistant City Manager Kent Souriyasak
Public Works Director Scott Holden
CIP Manager Patrick Hubbard
Development Services Director Joe Hilbourn
City Secretary Erin Flores
City Attorney Joe Gorfida
Deputy Daniel Gillespie

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

Citizen Input

1. Citizen Input

There were no members of the public wishing to address the City Council.

Community Interest

2. Items of Community Interest:

A. Proclamation for Lucas Fire-Rescue 50th Anniversary.

Mayor Pro Tem Peele presented a proclamation to the Lucas Fire-Rescue department honoring their 50th anniversary.

Other items of interest included:

- Lucas Farmers Market
- Lucas Fire-Rescue Birthday Bash
- Art in Public Places
- Personal Protection and Home Defense Class
- Prohibited Use of Fireworks Reminder
- TxDOT Public Meeting

Public Hearings

- 3. Conduct a public hearing and consider adopting Ordinance 2023-06-00982 approving a request for a change in zoning from AO (Agricultural and Open Space) to R-2 (Residential 2-acre) on a tract of land being 23.691 acres of land located in the Peter F. Lucas survey, abstract number 537, Town of Lucas, Collin County, Texas, being all of**

the Jason Blakely and Jessica Blakely called 23.691 acre tract 23 +/- parcel of land, more commonly known as 355 Winningkoff Road.

- A. Presentation by Development Services Director Joe Hilbourn
- B. Conduct public hearing
- C. Take action on zoning change request

Development Services Director Joe Hilbourn gave a presentation indicating the location of the property, depiction of proposed lot, and the recommendation from the Planning and Zoning Commission.

The applicant, Jim Douglas (representing Jason and Jessica Blakely) spoke advising that the property will be for one family with lots split up for the different family members.

The public hearing was closed at 6:47 pm.

MOTION: A motion was made by Councilmember Johnson, seconded by Councilmember Keer, to approve adopting Ordinance 2023-06-00982 approving a request for a change in zoning from AO (Agricultural and Open Space) to R-2 (Residential 2-acre) on a tract of land being 23.691 acres of land located in the Peter F. Lucas survey, abstract number 537, Town of Lucas, Collin County, Texas, being all of the Jason Blakely and Jessica Blakely called 23.691 acre tract 23 +/- parcel of land, more commonly known as 355 Winningkoff Road. The motion passed unanimously by a 6 to 0 vote, with Mayor Olk absent.

- 4. **Conduct a public hearing and consider approving a request for a Planned Development zoning overlay on a parcel of land zoned Commercial Business (CB) on a tract of land being 42.339 acres (1,884,296 square feet) in the James Anderson Survey, Abstract Number 17, City of Lucas, Collin County, Texas, more commonly known as the Hunt tract at the northwest corner of the Parker Road and Country Club Road intersection. (Cancelled at the request of the applicant.)**

- A. Presentation by Development Services Director Joe Hilbourn
- B. Conduct public hearing
- C. Take action on zoning change request

This item was pulled from the agenda at the request of the applicant.

MOTION: There was no motion needed for this item.

Consent Agenda

- 5. **Consent Agenda:**

- A. **Approval of the minutes of the May 18, 2023 City Council meeting.**

MOTION: A motion was made by Councilmember Keer, seconded by Councilmember Kuykendall, to approve the Consent Agenda as presented. The motion passed unanimously by a 6 to 0 vote, with Mayor Olk absent.

Regular Agenda

- 6. Consider corrections to the request by Majed Khalaf on behalf of Mahmoud Properties for a site plan, landscape plan, and elevations for use as a commercial retail and office center on a 2.25-acre tract of land in the Jas Lovelady Survey, Abstract Number ABS A0538, Tract 14 situated in the City of Lucas, Collin County, Texas, located at 995 West Lucas Road.**

Development Services Director Joe Hilbourn gave a presentation explaining details regarding the buildings' site plan, landscape plan, and elevations.

Architect Amir Durdali, 9101 Lyndon B. Johnson Freeway, Dallas, spoke explaining the purpose of the parapet wall, which extends above the roofline as a screening wall to block the mechanical equipment.

Mayor Pro Tem Peele advised she has deep concerns that the company will not meet the setback requirements or the requirements of the Texas Commission on Environmental Quality (TCEQ). Mayor Pro Tem opined that the applicant has shown a blatant disregard for the City ordinances.

Councilmember Lawrence agreed, advising the only thing that can be done as a City is to ensure regulations are followed going forward.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Lawrence, to approve the request by Majed Khalaf on behalf of Mahmoud Properties for a site plan, landscape plan, and elevations for use as a commercial retail and office center on a 2.25-acre tract of land in the Jas Lovelady Survey, Abstract Number ABS A0538, Tract 14 situated in the City of Lucas, Collin County, Texas, located at 995 West Lucas Road. The motion passed unanimously by a 6 to 0 vote, with Mayor Olk absent.

- 7. Consider approving Ordinance 2023-06-00983 amending the City of Lucas Code of Ordinances, Chapter 3 titled "Building Regulations", Article 3.08 titled "Residential Code" by adding Section 3.08.004 titled "Construction Site Drainage".**

Development Services Director Joe Hilbourn gave a presentation on the proposed changes, explaining that the Planning and Zoning Commission and the City Council requested that staff look at drainage for existing lots of record. Mr. Hilbourn explained that the proposed changes would require every lot created in the City to have engineering construction plans.

Councilmember Lawrence asked what impact that would have on a person that is currently building. Mr. Hilbourn advised they would have to follow the ordinance in effect at the time of application.

Councilmember Johnson asked if the new requirements would apply to an accessory dwelling unit. Mr. Hilbourn advised it would apply to a single-family house, but that it would not apply to a standard accessory building. Councilmember Fisher asked if that was because the builder would not be required to raise the foundation. Mr. Hilbourn confirmed that was correct.

MOTION: A motion was made by Councilmember Fisher, seconded by Councilmember Lawrence, to approve Ordinance 2023-06-00983 amending the City of Lucas Code of Ordinances, Chapter 3 titled "Building Regulations", Article 3.08 titled "Residential Code" by adding Section 3.08.004 titled "Construction Site Drainage". The motion passed unanimously by a 6 to 0 vote, with Mayor Pro Tem Peele absent.

8. **Provide an update and discuss the status of the drainage policy for effectively managing the stormwater system and provide direction to the City Manager.**

CIP Manager Patrick Hubbard gave a presentation covering the aspects of the proposed policy including; categories, priorities, culvert management, methodology used for creating a form for inspecting facilities, the testing of facilities, rating categories for facilities and gave examples of two culverts that were inspected.

Councilmember Lawrence asked what would happen if a culvert failed and a car was driving over the road. Mr. Hubbard explained that the road would cave, so it could be dangerous. Councilmember Lawrence asked what the time frame is going to be for this process. Mr. Hubbard explained the projects will be identified and ranked in order of priority and done in batches over the next couple of years.

Councilmember Lawrence asked for a timeline for this project. City Manager Joni Clarke advised that there is not a timeline yet, and that an Engineering intern might be good for this project, but that if that does not work an employee with an Engineering skillset may have to be hired. Councilmember Lawrence asked if any random checks are currently being done on the culverts. City Manager Clarke advised that Mr. Hubbard has been building a system for data storage on the culvert information and that he is wanting to incorporate the priority culverts in the Capital Improvement Plan. Mr. Hubbard advised the inspections will begin in the coming week.

Councilmember Kuykendall asked if poor culverts identified would immediately be fixed or if a complete survey would be done first. Mr. Hubbard advised projects needing immediate work would become priority.

Councilmember Lawrence asked if there was any equipment that could be used to roll over the top of the pavement that will show the structural integrity of the culvert. Mr. Hubbard advised he is not aware of that method, but that the Minnesota Department of Transportation uses a drone to collect data on the inside of culverts. Mr. Hubbard explained it may be possible to utilize a company called NEXCO Highway Solutions of America, Inc. (NEXCO) to take images of the roadways which have predictive capabilities to determine how many years of life is left in the pavement, which could help indicate areas where culverts are possibly failing.

MOTION: There was no motion needed for this item.

9. **Consider authorizing the City Manager to enter into a contract with Texas Materials Group, Inc., TexasBit, for the rehabilitation of Snider Lane in an amount not to exceed \$459,516 and rehabilitation of Long Road and Bloom Street in an amount not to exceed \$25,444, for a total of \$484,960 from Account 11-8209-301 Improvement Roads (Street Maintenance).**

Public Works Director Scott Holden gave a presentation advising that through NEXCO, two projects have been identified that are in immediate need of repair, the rehabilitation of Snider Lane and the intersection of Long Road and Bloom Street.

Mayor Pro Tem Peele asked if the department looks at the history of roads before paving. Mr. Holden advised that they do. Mr. Holden advised that with Mr. Hubbard developing the data tracking system, it will help with tracking the history of road projects so that issues can be avoided in the future.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Kuykendall, to approve authorizing the City Manager to enter into a contract with Texas Materials Group, Inc., TexasBit, for the rehabilitation of Snider Lane in an amount not to exceed \$459,516 and rehabilitation of Long Road and Bloom Street in an amount not to exceed \$25,444, for a total of \$484,960 from Account 11-8209-301 Improvement Roads (Street Maintenance). The motion passed unanimously by a 6 to 0 vote, with Mayor Olk absent.

10. Consider approving Resolution R 2023-06-00541 authorizing an application for new playground equipment at Forest Creek Park to the Texas Parks and Wildlife Local Park Grant Program.

Assistant City Manager Kent Souriyasak gave a presentation explaining the purpose of the grant, advising that the City applied for this grant in 2021 but was denied. Mr. Souriyasak gave different options for playground equipment and explained the cost associated with each.

Mayor Pro Tem Peele asked how frequently used the park is. Mr. Souriyasak advised there was a survey done on park usage in 2021, and that 70% of residents in the area advised they do use the equipment.

Councilmember Fisher asked about the requirement of having the matching funds available. City Manager Clarke explained that the funds would not be appropriated until the grant is awarded. Mayor Pro Tem Peele advised that \$150,000 is a fair amount.

MOTION: A motion was made by Councilmember Johnson, seconded by Councilmember Lawrence, to approve Resolution R 2023-06-00541 authorizing an application for new playground equipment at Forest Creek Park to the Texas Parks and Wildlife Local Park Grant Program for \$150,000. The motion passed unanimously by a 6 to 0 vote, with Mayor Olk absent.

11. Consider approving Resolution R 2023-06-00542 authorizing an application for a proposed northern trail project to the Texas Parks and Wildlife Recreational Trails Grant Program.

Assistant City Manager Kent Souriyasak advised that they are looking to apply for this grant to fund improving the northern trail loop starting at the Winningkoff Trailhead, and north along Welborn Lane.

Mayor Pro Tem Peele advised that this would improve a long existing trail and would improve the experience for equestrian use. Mayor Pro Tem Peele asked what material would be used for the trail. City Manager Clarke advised it would be crushed granite. Councilmember Kuykendall asked if the indicated phases would all be completed automatically if this request is improved. Mr. Souriyasak

advised ideally the next phase would be started on completion of the first phase, and that easements are being acquired for that purpose. City Manager Clarke advised the third phase of the project would be the most challenging.

Councilmember Kuykendall asked what the cost would be to maintain the trail. City Manager Clarke advised that the cost is unknown at this time, and that possibly utilizing a car counter would help track the usage. Councilmember Kuykendall advised that when using the trails, it seems horses are not being walked in that area. Mayor Pro Tem Peele advised part of the reason for that is because of the underbrush and poor drainage, and it is not very well marked. Councilmember Johnson advised that some sections of the proposed trail would be in the front yard of some residents.

Councilmember Kuykendall asked what the cost to maintain the trail would be, and how that would affect the Parks budget. City Manager Clarke advised staff could provide some data on the cost of maintaining the trail. Councilmember Fisher asked if the issue would be part of the trail washing out. City Manager Clarke advised that is a large issue.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Johnson, to approve Resolution R 2023-06-00542 authorizing an application for a proposed northern trail project to the Texas Parks and Wildlife Recreational Trails Grant Program. The motion passed unanimously by a 6 to 0 vote, with Mayor Olk absent.

12. Consider the appointment of Mayor Pro Tem to serve for a one-year period beginning June 1, 2023 and ending May 31, 2024.

MOTION: A motion was made by Councilmember Johnson, seconded by Councilmember Lawrence, to appoint Mayor Pro Tem Kathleen Peele as Mayor Pro Tem to serve for a one-year term beginning June 1, 2023 and ending May 31, 2024.

13. Discuss updating the City of Lucas Code of Ordinances, Chapter 14 titled "Zoning" and provide guidance to the Planning and Zoning Commission.

City Manager Joni Clarke advised that the City Council tasked her with a goal to review the Code of Ordinances, and that a schedule was developed by the City Attorney to begin reviewing Chapter 14. City Manager Clarke advised that Mayor Olk wanted the City Council to have an opportunity to give specific areas of concern.

Councilmember Fisher advised that one of her concerns are sections that refer to the 1995 version of the Code. Mayor Pro Tem Peele advised she would like the City Council to send the Planning and Zoning Commission any concerns they have or specific areas of interest. City Manager Clarke advised each section that is completed should be brought to the City Council explaining the changes.

Councilmember Fisher suggested the City Council look at Chapter 14.03, Division 10, regarding the Estates District, because the ordinance refers to half-acre lots.

The City Council concurred that their concerns will be sent to staff to present to the Planning and Zoning Commission.

MOTION: There was no motion needed for this item.

14. Update on the North Texas Municipal Water District (NTMWD) Board of Directors meeting held on May 25, 2023, as it relates to Premium charged to Customer Cities.

Councilmember Fisher gave information about the meeting, advising that City Manager Clarke has been actively engaged with the consultant Raftilis, who was present at the last Board of Directors meeting. Councilmember Fisher explained that NTMWD has planned to increase water rates for customer cities and that some of the proposals have been very large. Councilmember Fisher advised that one of the other customer cities had a councilmember there who has experience with bonds, and that the claim by the district is that they have a better bond rating than the customers. Councilmember Fisher advised the May 2023 Board meeting had a presentation by a rate consultant who presented five different options, including projected rates and revenues. Councilmember Fisher advised the Board did say that there is not a rush, and the executive director has been instrumental in more transparency in this process. Councilmember Fisher gave background information on the history of the City of Lucas when they started doing business with NTMWD.

City Manager Clarke advised Raftilis has a meeting with NTMWD consultant and staff on June 17, 2023.

MOTION: There was no motion needed for this item.

15. Consider the 88th Legislative Session and discuss any proposed bill or significant resolution that may have an impact on the City of Lucas and provide guidance to the City Attorney and City Manager.

City Attorney Joe Gorfida gave an update on significant bills in the Legislative Session.

MOTION: There was no motion needed for this item.

16. Discuss FM 1378 Draft Design Schematic dated April 2023 and consider modifications to the City of Lucas Thoroughfare Plan.

Mayor Pro Tem Peele advised she has three options for the alignment of Stinson Road that have been discussed with Mayor Olk for the City Council to consider. Mayor Pro Tem Peele presented the three options and explained the positives and negatives of each. After the City Council discussed each option, it was decided that the third option appears to be the most logical, which depicted a road coming behind 995 West Lucas Road, with modifications presented by the City Council. City Manager Joni Clarke advised Engineering would look at each of the options and give information on costs and viability to bring back at a future meeting.

MOTION: There was no motion needed for this item.

Executive Agenda

17. Executive Session:

As authorized by Section 551.071 of the Texas Government Code, the City Council may convene into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney regarding any item on the agenda at any time during the meeting. This meeting is closed to the public as provided in the Texas Government Code.

There was no Executive Session during this meeting.

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

There was no Executive Session during this meeting.

19. **Adjournment.**

MOTION: A motion was made by Councilmember Johnson, seconded by Councilmember Lawrence to adjourn the meeting at 8:59 pm. The motion passed unanimously by a 6 to 0 vote, with Mayor Olk absent.

APPROVED:

ATTEST:



Mayor Jim Olk





Jim Flores, City Secretary