



**MINUTES**  
**CITY COUNCIL REGULAR MEETING**  
August 17, 2023 | 6:35 PM  
Council Chambers  
City Hall | 665 Country Club Road, Lucas, Texas

---

**City Councilmembers Present:**

Mayor Pro Tem Kathleen Peele  
Councilmember Tim Johnson  
Councilmember David Keer  
Councilmember Phil Lawrence  
Councilmember Debbie Fisher  
Councilmember Dusty Kuykendall

**City Staff Present:**

City Manager Joni Clarke  
Assistant City Manager Kent Souriyasak  
Development Services Director Joe Hilbourn  
Public Works Director Scott Holden  
Fire Chief Ted Stephens  
Deputy Daniel Gillespie

**City Councilmembers Absent:**

Mayor Jim Olk

The regular City Council meeting was called to order at 6:34 pm immediately following the Lucas Fire Control, Prevention, and EMS District Board meeting.

**Executive Session**

---

**1. Executive Session:**

- A. The City Council will convene into Executive Session pursuant to Section 551.074(a)(1) of the Texas Government Code, Personnel Matters, to deliberate the appointment, employment, and duties for the position of City Secretary.
- B. The City Council will convene into Executive Session pursuant to Section 551.074(a)(1) of the Texas Government Code to deliberate the appointment of members to the Planning and Zoning Commission and the Board of Adjustments.

City Council convened into Executive Session at 6:35 pm.

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

City Council reconvened from Executive Session at 7:51 pm.

**MOTION:** A motion was made by Councilmember Lawrence, seconded by Councilmember Johnson, to authorize the City Manager to extend an offer of employment to Toshia Kimball for the position of City Secretary. The motion passed unanimously by a 6 to 0 vote. Mayor Olk was absent.

There was no action taken on Item 1B.

## **Citizen Input**

---

### **3. Citizen Input**

There were no members of the public requesting to speak.

## **Community Interest**

---

### **4. Items of Community Interest.**

Mayor Pro Tem Peele discussed the upcoming Lucas Farmers Market including a special historical presentation by Councilmember Fisher, Public Lands Trail Cleanup, volunteers needed for Fire Rehab Program, and informed residents to reduce water use.

## **Consent Agenda**

---

### **5. Consent Agenda:**

- A. Approval of the minutes of the August 3, 2023 City Council meeting.**
- B. Adoption of Resolution R 2023-08-00544 approving to suspend the requested rate change proposed by CoServ Gas, Ltd.**

**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. Mayor Olk was absent.

## **Public Hearing**

---

### **6. Conduct a Public Hearing and consider the Proposed Budget for Fiscal Year 2023-2024:**

- A. Presentation by Finance Director Liz Exum.**
- B. Conduct a Public Hearing.**
- C. Set the date for adopting an ordinance approving the City of Lucas Budget for Fiscal Year 2023-2024 on September 7, 2023.**

Finance Director Liz Exum presented this item. Councilmember Fisher asked for clarification when the public sees overage in the general fund then it is for the fire engine and ambulance that is on order so we would not have additional debt. Ms. Exum explained the overage is used for capital outlay including vehicles and equipment for that need.

Mayor Pro Tem Peele opened the Public Hearing at 8:04 pm.

There were no members of the public requesting to speak.

Mayor Pro Tem Peele closed the Public Hearing at 8:04 pm.

**MOTION:** A motion was made by Councilmember Fisher, seconded by Councilmember Johnson, to approve the date of adoption for the City of Lucas Budget for Fiscal Year 2023-2024 on September 7, 2023. The motion passed unanimously by a 6 to 0 vote. Mayor Olk was absent.

Councilmember Lawrence thanked Finance Director Liz Exum for her work on the budget creation and proposal process.

### Regular Agenda

**7. Consider the proposed Property Tax Rate for Fiscal Year 2023-2024:**

- A. Discuss tax rate and take record vote for publication in the Allen American Newspaper.**
- B. Schedule a Public Hearing for the tax rate if the proposed tax rate exceeds the lower of the “No-New-Revenue” or “Voter-Approval” rate on September 7, 2023.**

Finance Director Liz Exum presented this item on the following property tax rate options:

- No-New-Revenue Tax Rate – \$0.243911 (\$0.172555 M&O and \$0.071356 Debt)
- Voter-Approval Tax Rate – \$0.256758 (\$0.185402 M&O and \$0.071356 Debt)
- De Minimis Tax Rate – \$0.276823 (\$0.205467 M&O and \$0.071356 Debt)

Ms. Exum explained that City Council will need to vote on a property tax rate option which will be published and advertised as the proposed tax rate, following tax notice requirements in the Allen American newspaper.

**MOTION:** A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Johnson, to approve the Voter-Approval tax rate \$0.256758 for the 2023 year to be published in the Allen American newspaper. The following record vote was taken:

Mayor Pro Tem Kathleen Peele	Aye
Councilmember Tim Johnson	Aye
Councilmember David Keer	Aye
Councilmember Phil Lawrence	Aye
Councilmember Debbie Fisher	Aye
Councilmember Dusty Kuykendall	Aye
Mayor Jim Olk	Absent

The motion passed unanimously by a 6 to 0 vote.

**MOTION:** A motion was made by Councilmember Fisher, seconded by Councilmember Kuykendall, to schedule a Public Hearing for the City of Lucas Fiscal Year 2023-2024 Tax Rate to be held on September 7, 2023. The motion passed unanimously by a 6 to 0 vote. Mayor Jim Olk absent.

8. **Consider amending the Development Agreement between the City of Lucas and Goose Real Estate, Inc. regarding roadway improvements at Ford Lane and Welborn Lane.**

Development Services Director Joe Hilbourn presented this item. Mayor Pro Tem Peele asked what the impact of a 20-foot road is. Mr. Hilbourn indicated it would be narrower and recommended the City Council move forward with construction within the existing 20 feet wide roadway.

Greg Jacobs, 1415 Ford Lane, indicated past discussions and concerns regarding reconstruction of Ford Lane and Welborn Lane, the condition of the roadways, the amount of materials that would likely be expended in construction of certain widths and depths of roadway, along with a request that City Council consider the maximum width that does not interfere with homes.

Louie Jones, 1420 Ford Lane, expressed his concerns regarding safety for pedestrians, passing vehicles, and debris created by minor improvements in the roadway. Councilmember Johnson asked if Mr. Jones would prefer the road to be 20 feet wide. Mr. Jones advised that the measure should be taken mailbox to mailbox.

Mayor Pro Tem Peele asked if there is a map that depicts Welborn Lane and Ford Lane. Mr. Hilbourn indicated the City only had 25 feet of right-of-way and it would be difficult to have 24 feet of road within that right-of-way.

Councilmember Lawrence asked if the discussion and options were specifically limited to 20 feet or 24 feet. Mr. Hilbourn indicated it is based on tonnage and the City would tie that bid to the development agreement depending on the City Council decision. Councilmember Fisher asked if the prep area necessary for a 20-foot wide roadway would be close to one foot on each side. Mr. Hilbourn said that is correct and explained how they would construct the road from the driveway of one residence to the driveway of another.

City Attorney Joe Gorfida indicated that the motion would be to amend the original exhibit with renewed specifications to tie the estimate to the agreement. Development Services Director Joe Hilbourn advised this would save the City from spending money.

**MOTION:** A motion was made by Councilmember Kuykendall, seconded by Councilmember Lawrence, to approve authorizing the City Manager to execute the First Amendment to the Development Agreement between the City of Lucas and Goose Real Estates, Inc. for roadway improvements within the existing 20-foot width at Ford Lane and Welborn Lane. The motion passed unanimously by a 6 to 0 vote. Mayor Olk was absent.

9. **Discuss billing options for services and responses rendered by the Lucas Fire-Rescue Department and provide direction to the City Manager.**

Fire Chief Ted Stephens presented this item regarding fire billing in emergency response including types of emergencies and fires that are responded to and the associated fees, equipment needed for specific responses, and guidelines for legal fires. Mr. Stephens noted the Fire-Rescue Department is not looking to make profit on services provided and rather recoup expenses from insurance providers associated with services provided.

City Manager Joni Clarke noted there are repeated offenders for outdoor burning and the practice is very dangerous during dry seasons. Ms. Clarke advised that an informational booklet was sent to all residents to try and mitigate this practice. City Attorney Joe Gorfida indicated Emergifire is getting back what the insurance company took for the fee. Chief Stephens indicated illegal burns could get fined. Councilmember Lawrence asked if the violator of illegal burning would get a bill and a fine. Mr. Gorfida advised they would receive a fine through municipal court for the illegal burn, along with a bill from services expended by Lucas Fire-Rescue. Ms. Clarke and Chief Stephens advised they will get clarification on these billing and fining structures.

Councilmember Fisher asked if the City responds to the City of Murphy, then would the City take on the cost of that response. Councilmember Kuykendall clarified that if the City were second on call, we would not get billed and it would only be the primary responding organization. Chief Stephens advised that is correct. Councilmember Lawrence asked if we get paid for services rendered for being first on scene in another city's jurisdiction. Chief Stephens clarified we only get paid in our jurisdiction. Mayor Pro Tem Peele and Councilmember Johnson advised this expense is made up for by bills incurred by non-residents in accidents inside City of Lucas limits.

Councilmember Lawrence asked how Lucas Fire-Rescue bills people for services on Lake Lavon. Councilmember Fisher indicated we need to get clarification regarding the lake. Councilmember Johnson asked if it is possible to enter into an agreement where we don't bill other cities' residents if they don't bill our residents. City Attorney Joe Gorfida suggested that the City should work with Emergifire and narrow down the fees they are willing to collect. Mr. Gorfida advised if the City wants to get involved into what to collect, it can be examined separately.

Councilmember Lawrence indicated he is interested in recouping the cost of expenses. Mayor Pro Tem Peele directed Chief Stephens to go back and make a narrower list that Emergifire will collect, along with feedback from neighboring cities. City Attorney Joe Gorfida indicated House Bill 1413 only refers to billing for cleanup. City Council agreed to have staff get with Emergifire and see what makes sense for billing.

There was no motion was needed for this item.

**10. Discuss candidates to interview for the Alternate Member 2 vacant position on the Parks and Open Space Board.**

Councilmember Kuykendall recommended that City Council provide any candidates for consideration to be submitted to Assistant City Manager Kent Souriyasak. City Council agreed and directed staff to arrange future interviews for the vacant position on the Parks and Open Space Board.

There was no motion was needed for this item.

**11. Adjournment.**

**MOTION:** A motion was made by Councilmember Johnson, seconded by Councilmember Lawrence, to adjourn the meeting at 8:53 pm. The motion passed unanimously by a 6 to 0 vote. Mayor Olk was absent.

APPROVED:



---

Mayor Jim Olk

ATTEST:



---

Toshia Kimball, City Secretary