



**City Council
Regular Meeting
April 1, 2010 7:00 PM
City Hall - 665 Country Club Road
Minutes**

Call to Order

Mayor Pro Tem Kathleen Peele called the meeting to order at 7:00 p.m.

Present:

Mayor Bill Carmickle (absent)

Councilmember Mark Barratt

Councilmember Don Zriny

Councilmember Debbie Fisher

City Secretary Kathy Wingo

Finance Manager Liz Exum

Mayor Pro Tem Kathleen Peele

Councilmember Rebecca Mark

Councilmember Wayne Millsap

City Manager Robert Patrick

City Attorney Joe Gorfida

Building Official Joe Hilbourn

It was determined that a Quorum was present.

Everyone was reminded to turn off or silence cell phones.

Everyone joined together to say the Pledge of Allegiance.

Citizens' Input

1) Citizen's Input.

Sean McCaffity, 2801 Jessica, came forward to introduce himself. Mr. McCaffity is a candidate for Seat 4 at the May 8th General Election.

Public Hearings

- 2) Public Hearing/Discuss and Consider the application submitted by Brett & Heather Hersley requesting annexation of a parcel of 1.0009± acres located in the subdivision of Cimarron Phase One hereinafter described as Cimarron, Block A, Lot 10, Collin County, Texas, commonly known as 814 Red Store Court.**

The Public Hearing was opened at 7:02 p.m.

Brett Hersley, the applicant who resides at 814 Red Store Court, came forward to speak FOR this item.

The Public Hearing was closed at 7:03 p.m.

Regular Agenda

- 3) Discuss and Consider the approval of the minutes from the March 4, 2010 City Council Regular and March 18, 2010 City Council Workshop meetings.

MOTION: Councilmember Zriny made a Motion to approve the minutes from the March 4, 2010 City Council Regular and March 18, 2010 City Council Workshop meetings. Councilmember Fisher seconded the Motion. Motion carried. Vote: 6-0.

- 4) Discuss and Consider the acceptance of credit cards as a form of payment for City fees and services.

City Manager Patrick reviewed the cost(s) estimates of accepting credit cards as a form of payment for City fees and services. City Manager Patrick recommends 3% fee be charged to those who pay City fees and services using a credit card.

A Supplemental Agenda was posted for this meeting to allow the City Council to take action on this item. The Supplemental Agenda included a resolution to consider establishing a credit card processing fee.

Supplemental Agenda

Discuss and Consider the approval of **Resolution # R-2010-04-00650** of the City Council of the City of Lucas, Texas, adopting a credit card processing fee in the amount of 3% of the amount of the fee, fines, costs and other charges to be paid by credit card; providing a severability clause; and providing for an effective date.

MOTION: Councilmember Barratt made a Motion to approve as written, **Resolution # R-2010-04-00650** of the City Council of the City of Lucas, Texas, adopting a credit card processing fee in the amount of 3% of the amount of the fee, fines, costs and other charges to be paid by credit card; providing a severability clause; and providing for an effective date. Councilmember Millsap seconded the Motion. Motion carried. Vote: 6-0.

Regular Agenda

- 5) Discuss and Consider the audit report for the Fiscal Year 2008 – 2009 prepared by Conway Company CPA, PC.

Neal Conway, of Conway Company CPA, PC, came forward to review the audit report with the members of the Council.

MOTION: Councilmember Millsap made a Motion to accept the audit report for the Fiscal Year 2008 – 2009 prepared by Conway Company CPA, PC as presented. Councilmember Fisher seconded the Motion. Motion carried. Vote: 6-0.

- 6) To receive public comments and discussion regarding the creation of a Type A and Type B Corporation.

There was no one in attendance who wished to speak during this portion of the agenda.

Public Hearings

- 7) Public Hearing/Discuss and Consider the application submitted by Brett & Heather Hersley requesting annexation of a parcel of 1.0009± acres located in the subdivision of Cimarron Phase One hereinafter described as Cimarron, Block A, Lot 10, Collin County, Texas, commonly known as 814 Red Store Court.

This is the 2nd Public Hearing.

The Public Hearing was opened at 7:22 p.m.

There was no one present who wished to speak FOR or AGAINST this item.

The Public Hearing was closed at 7:22 p.m.

The subdivision as a whole has relatively extensive drainage issues. The property however does not appear to have any issues at the current time. Should the City annex this property and drainage issues appear on this property it could be very expensive for the City. A concrete drainage swell would need to be installed to meet the requirements of the City.

There does not seem to be a benefit to the City to annex one lot in this development. The developer is opposed to annexation of the development as a whole.

MOTION: Councilmember Barratt made a Motion to annex parcel of 1.0009± acres located in the subdivision of Cimarron Phase One hereinafter described as Cimarron, Block A, Lot 10, Collin County, Texas, commonly known as 814 Red Store Court. Motion dies for lack of a second.

MOTION: Councilmember Zriny made a Motion to deny the annexation of parcel of 1.0009± acres located in the subdivision of Cimarron Phase One hereinafter described as Cimarron, Block A, Lot 10, Collin County, Texas, commonly known as 814 Red Store Court. Mayor Pro Tem Peele seconded the Motion. Motion carried. Vote: 5-1, Councilmember Barratt voting NAY.

Executive Session

- 8) City Council pursuant to §551.072 of the Texas Government Code may convene into Executive Session to deliberate the purchase, lease, and sale of real property located within the City of Lucas, Texas.

This item was removed from the agenda.

Regular Agenda

- 9) Take any action as necessary from the Executive Session.

This item was removed from the agenda.

- 10) Adjournment.

MOTION: Councilmember Millsap made a Motion to adjourn the meeting at 7:35 p.m. Councilmember Zriny seconded the Motion. Motion carried. Vote: 6-0.

These minutes were approved by a majority vote of the City Council on May 6, 2010.





Kathleen Peele, Mayor Pro Tem

ATTEST:



Kathy Wingo, PRMC, CMC, City Secretary