

MINUTES

LANCASTER CITY COUNCIL MEETING OF SEPTEMBER 12, 2016

The City Council of the City of Lancaster, Texas, met in a called Regular session in the Council Chambers of City Hall on September 12, 2016 at 7:00 p.m. with a quorum present to-wit:

Councilmembers Present:

Mayor Marcus E. Knight
Mayor Pro Tem Carol Strain-Burk
Deputy Mayor Pro Tem Stanley Jaglowski
Spencer W. Hervey Jr.
Clyde C. Hairston
Nina Morris

Councilmembers Absent:

Marco Mejia

City Staff Present:

Opal Mauldin-Robertson, City Manager
Rona Stringfellow, Assistant City Manager
Kay Brown, Community Relations Coordinator
Dori Lee, Human Resources Director
Ed Brady, Director of Economic Development
Sean Johnson, Managing Director of Quality of Life & Cultural Services
Baron Sauls, Finance Director
Sam Urbanski, Interim Police Chief
Robert Franklin, Fire Chief
Alton Dixon, Purchasing Manager
Cheryl Womble, Administration & Community Relations Supervisor
Tony Felts, Senior Planner
Mark Divita, Airport manager
Julie Doshier, Associate City Attorney
Mayra Ortiz, Assistant City Secretary
Sorangel O. Arenas, City Secretary

Call to Order:

Mayor Knight called the meeting to order at 7:02 p.m. on September 12, 2016.

Invocation:

Pastor Richardson gave the invocation.

Pledge of Allegiance:

Deputy Mayor Pro Tem Jaglowski led the pledge of allegiance.

Recognition:

Mayor Knight recognized Catherine Johns' and commended her outstanding accomplishments and performance as a student at Lancaster High School. Mayor Knight shared that Ms. Johns is serving as President of the Student Body and plans to attend the University of Houston upon graduation.

Proclamation:

Mayor Knight proclaimed the Month of September as National Preparedness Month and urged everyone in the community to learn more about and to participate in emergency preparedness activities available in Lancaster and to visit the regional KnoWhat2Do emergency preparedness website, www.KnoWhat2Do.com.

Mayor Knight proclaimed September 17, through September 23, 2016 as Constitution Week and asked our citizens to reaffirm the ideals The Framers of the Constitution had in 1787.

Consent Agenda:

Mayor Knight pulled item 3 and item 5.

City Secretary Arenas read the consent agenda.

1. **Consider approval of minutes from the City Council Regular Meeting held on June 27, 2016, July 11, 2016, and August 8, 2016.**
2. **Consider a resolution adopting the Lancaster City Council Rules and Procedures, as amended.**
3. **Consider a resolution providing for the adoption of the Master Fee Schedule for all fees and charges assessed and collected by the City.**
4. **Consider an ordinance approving the proposed fiscal year 2016/2017 budget for proceeds of seized property for the Lancaster Police Department for the fiscal year beginning October 1, 2016 and ending September 30, 2017; providing that expenditures for said fiscal year shall be in accordance with said budget.**
5. **Consider a resolution casting a vote for Trustees in Places 6, 7, 8, and 9 in the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election on the Official Ballot form; authorizing the Mayor to sign the Official Ballot.**
6. **Consider a resolution approving the terms and conditions of the City owned T-Hangar commercial lease from buildings 660, 680, and 700 at Lancaster Regional Airport.**
7. **Consider a resolution approving the terms and conditions of the City owned T-Hangar commercial lease from building 690 at Lancaster Regional Airport.**
8. **Consider a resolution approving the terms and conditions of the City owned T-Hangar commercial lease from building 670 at Lancaster Regional Airport.**
9. **Consider a resolution approving the terms and conditions of the City owned T-Hangar commercial lease from building 670 at Lancaster Regional Airport.**
10. **Consider a resolution approving the terms and conditions of the Grant Agreement for the Routine Airport Maintenance Program by and between the City of Lancaster, as Airport Sponsor, and the Texas Department of Transportation, on behalf of the State of Texas; authorizing matching funds in the amount of \$50,000 at the Lancaster Regional Airport.**
11. **Consider a resolution adopting the City of Lancaster's Financial Policy providing for prudent financial management of all funds to enable the city to maintain a long-term stable and positive financial condition and provide guidelines for the day-to-day planning and operation of the city's financial matters.**
12. **Consider a resolution adopting the City of Lancaster's Investment Policy providing that all funds of the city be managed and invested for safety, liquidity, diversification and yield and that investments be chosen in a manner which promotes diversity by market sector, credit and maturity; providing that this policy serve to satisfy the requirements of Chapter 2256 of the Local Government Code, "Public Funds Investment Act".**

Deputy Mayor Pro Tem Jaglowski pulled consent item 2 for further discussion.

MOTION: Councilmember Morris made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve consent items 1-12 excluding items 2, 3 and 5. The vote was cast 6 for, 0 against [Mejia absent].

2. Consider a resolution adopting the Lancaster City Council Rules and Procedures, as amended.

Deputy Mayor Pro Tem Jaglowski shared that he recalls during a work session meeting that the "Councilmember Request to Schedule Item" form and Section D. 1.c of the City Council Rules and Procedures were to reflect each other.

Mayor Knight requested Deputy Mayor Pro Tem Jaglowski clarify his request. Deputy Mayor Pro Tem Jaglowski responded that the language on the "Councilmember Request to Schedule Item" form states, "As prescribed by Section D. 1.c, the City Manager may discuss with the requesting Councilmember a reasonable delay in placing the item on the agenda." However, in the City Council Rules and Procedures states, "Nothing in these rules or procedures shall prohibit the City Manager from discussing with the requesting Councilmember a reasonable delay in placing the item on the agenda." Deputy Mayor Pro Tem Jaglowski requested the language on the request form be reflected on the City Council Rules and Procedures to eliminate contradiction.

Assistant City Attorney Doshier inquired of Mayor Knight if the sentence in Section D. 1.c, which states, "The City Manager and City Secretary shall acknowledge receipt of the request" should be omitted to mirror the "Councilmember Request to Schedule Item" form. Mayor Knight responded that the form requires acknowledgement of the City Secretary and the City Manager which does not need to reflect the language.

Councilmember Morris inquired of Mayor Knight if the request form is required to be used in order to request an item be placed on the agenda. Mayor Knight stated the form will be the optimum document to reflect a Councilmember's request to have an item placed on the agenda. However, the request shall be submitted in a written manner which could be an electronic mail, text message, or similar form.

MOTION: Deputy Mayor Pro Tem Jaglowski made a motion, seconded by Councilmember Morris to approve consent item 2 with amendments recommended. The vote was cast 6 for, 0 against [Mejia absent].

3. Consider a resolution providing for the adoption of the Master Fee Schedule for all fees and charges assessed and collected by the City.

Associate City Attorney Doshier shared that last year the State Legislator adopted a new statute in regards to Burglar Alarm Permits. She referenced page 33 of the Master Fee Schedule and advised that any False Alarm where the Police Department requires responding to a false alarm system which the person has not received a permit, the statute caps the maximum fee at \$250.00. She shared that the fees for "6-7 Commercial" and "8 or more – Commercial" on page 33, shall be revised to reflect \$250.00.

Deputy Mayor Pro Tem Jaglowski inquired confirmation from Associate City Attorney Doshier that the State's statute caps the maximum amount for the fee. Associate City Attorney Doshier confirmed her inquiry and shared that the State Legislator establishes the cap fee to anyone who has not received the permit required by the City's ordinance.

MOTION: Councilmember Hairston made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve consent item 3 with recommendations. The vote was cast 6 for, 0 against [Mejia absent].

5. Consider a resolution casting a vote for Trustees in Places 6, 7, 8, and 9 in the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election on the Official Ballot form; authorizing the Mayor to sign the Official Ballot.

Mayor Knight shared that item 5 requires a casting vote for four (4) trustee places in the Texas Municipal League Risk Pool Board. The Council may select one candidate.

Place 6: Mayor Pro Tem Strain-Burk, Deputy Mayor Pro Tem Jaglowski, Mayor Knight, Councilmember Hervey, Councilmember Hairston and Councilmember Morris nominated Mary Gauer.

Place 7: Councilmember Morris nominated Richard Jorgensen, Councilmember Hairston nominated Richard Jorgensen, Councilmember Hervey nominated C.J. Wax, Mayor Knight nominated C.J. Wax, Deputy Mayor Pro Tem Jaglowski nominated C.J. Wax and Mayor Pro Tem Strain-Burk nominated C.J. Wax [Jorgensen 2, Wax 4].

C.J. Wax received the majority of votes for Place 7.

Place 8: Deputy Mayor Pro Tem nominated Larry Melton, Mayor Knight nominated Larry Melton, Councilmember Hervey nominated Larry Melton, Councilmember Hairston nominated Andrea M. Gardner, Councilmember Morris nominated Larry Melton and Mayor Pro Tem Strain-Burk nominated Larry Melton [Melton 5, Gardner 1].

Larry Melton received the majority of votes for Place 8.

Place 9: Councilmember Hairston nominated Richard L. Davis, Councilmember Morris nominated Richard L. Davis, Mayor Pro Tem Strain-Burk nominated Andres Garza, Deputy Mayor Pro Tem Jaglowski nominated Andres Garza, Mayor Knight nominated Andres Garza and Councilmember Hervey nominated Richard L. Davis [Garza 3, Davis 3].

Councilmember Hairston inquired when the voting for places started. Mayor Knight informed him that the procedure typically happens every three years. Also, typically, there are usually two candidates for each place.

Councilmember Hervey nominated Richard L. Davis, Councilmember Hairston nominated Richard L. Davis, Councilmember Morris nominated Richard L. Davis, Mayor Pro Tem Strain-Burk nominated Andres Garza, Deputy Mayor Pro Tem Jaglowski nominated Andres Garza and Mayor Knight nominated Rick A. Schroder [Davis 3, Garza 2, and Schroder 1].

Richard L. Davis received majority of votes for Place 9.

MOTION: Councilmember Hairston made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve consent item 5 with recommendations. The vote was cast 6 for, 0 against [Mejia absent].

- 13. Discuss and consider an ordinance of the City of Lancaster, Texas, establishing Civil Service classifications within the Police and Fire Departments; prescribing the number of positions in each classification; and providing an effective date.**

MOTION: Councilmember Hairston made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve item 13. The vote was cast 6 for, 0 against [Mejia absent].

- 14. Discuss and consider a resolution authorizing Dallas County to resell 754 Balkin Lane, tax foreclosed property, by public or private sale, to the highest qualified purchaser, as provided by Section 34.05 of the Texas Property Tax Code.**

MOTION: Deputy Mayor Pro Tem Jaglowski made a motion, seconded by Mayor Pro Tem Strain-Burk to approve item 14. The vote was cast 6 for, 0 against [Mejia absent].

- 15. Discuss and consider a resolution of the City Council of the City of Lancaster, Texas,**

approving the terms and conditions of an agreement by and between the City of Lancaster and the Dallas Area Agency on Aging for implementation of the Congregate Meals Program for the Lancaster Senior Life Center.

MOTION: Councilmember Hairston made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve item 15. The vote was cast 6 for 0 against. [Mejia absent]

16. Discuss and consider a resolution authorizing the City Manager to execute an economic development agreement pursuant to Chapter 380, Texas Local Government Code, by and between the City of Lancaster and Artemis HIP Park 20, LLC.

Director of Economic Development Ed Brady shared that Artemis HIP Park 20 has purchased approximately 36 acres on Houston School Road to construct a 470,000 square feet logistics facility to lease to future tenants. He stated the company has applied for a real property tax incentive grant in compliance with the City's Incentive Policy. The company is eligible for a forty-five percent real property tax reduction for a period of five years. The company estimates approximately \$23,000,000 in value added capital investment at their site in Lancaster.

MOTION: Deputy Mayor Pro Tem Jaglowski made a motion, seconded by Mayor Pro Tem Strain-Burk to approve item 16. The vote was cast 5 for, 1 against [Morris] [Mejia absent].

17. Discuss and consider a resolution ratifying the terms and conditions of an incentive grant by and between Artemis HIP Park 20, LLC and the Lancaster Economic Development Corporation.

Deputy Mayor Pro Tem Jaglowski inquired of Director of Economic Development Brady information on what the grant amount will cover. Director Brady shared that the amount is to assist with infrastructure costs associated with the construction and the LEDC Board approved the amount of the grant. The grant is not to exceed \$75,000 and the grant will not be paid until the company received the final Certificate of Occupancy issued by the City for their facility.

Councilmember Hairston inquired from where the \$75,000 grant fund is being issued. Director Brady shared the grant is issued from the fund balance in the Lancaster Economic Development Corporation.

Councilmember Hervey inquired the amount of capital investment. Director Brady stated the company estimates approximately \$23,000,000 in value added capital investment.

MOTION: Deputy Mayor Pro Tem Jaglowski made a motion, seconded by Mayor Pro Tem Strain-Burk to approve item 17. The vote was cast 6 for, 0 against [Mejia absent].

18. Consider an ordinance regarding the proposed fiscal year 2016/2017 budget for the fiscal year beginning October 1, 2016 ending September 30, 2017 providing that expenditures for said fiscal year shall be in accordance with said budget.

Councilmember Morris thanked the staff, departments, especially the Finance Department, and City Manager Mauldin-Robertson for her guidance in the budget process. She shared that this year's budget process was smooth.

Deputy Mayor Pro Tem Jaglowski thanked the Executive Team and all staff for their sacrifices endured during the budget procedure. He acknowledged that the property values for commercial and residential have changed to a 50/50 percentage. Also, he recognized Kay Brown, PID staff liaison, for obtaining an additional Public Improvement District which totals to 9 PIDs. He stated all level of employees will receive an increase payable adjustment and that funds are available for investments in our infrastructure and streets repairs. He then thanked his colleagues and City Manager.

MOTION: Councilmember Morris made a motion, seconded by Councilmember Hairston approve item 18. The vote was cast 6 for [Strain-Burk, Jaglowski, Knight, Hervey, Hairston, and Morris], 0 against [Mejia absent].

Associate City Attorney Doshier shared that the law requires a record vote and the minutes reflecting each councilmembers vote.

19. Discuss and consider a resolution ratifying the budget for the fiscal year 2016/2017 that results in an increase of revenues by 15.75% from property taxes than the previous year.

Mayor Knight inquired if there were any staff comments. Also, he shared that there is specific language to be used for the motion and is reflected in the agenda packet.

Councilmember Hairston requested that the City Manager Mauldin-Robertson comment on item 19.

City manager Mauldin-Robertson shared in 2007 the House Bill 3195 as passed by the 80th Legislature requires the budget to be ratified when there is an increase in revenues compared to the previous year.

MOTION: Councilmember Morris made a motion to approve a budget that will result in an increase of revenue from property taxes than the previous year and to ratify a property tax revenue increase reflected in said budget, seconded by Councilmember Hairston to approve item 19. The vote was cast 6 for [Strain-Burk, Jaglowski, Knight, Hervey, Hairston, and Morris], 0 against [Mejia absent].

Associate City Attorney Doshier informed City Secretary Arenas that the minutes also need to reflect each councilmembers vote.

20. Consider approval of an ordinance regarding the proposed revenue increase from levying ad valorem taxes for fiscal year 2016/2017 at \$0.8675 per one hundred dollars assessed valuation of all taxable property within the corporate limits to provide revenues for current maintenance and operation expenses and interest and sinking fund requirements; providing due and delinquent dates; penalties and interest; providing a homestead exemption and disability exemption.

City Manager Mauldin-Robertson thanked the City Council members and Executive Team for all their work. She shared it that when new revenues are available, there are additional challenges that are associated to ensure that we can provide services at the level we desire and to meet the expectations of our citizens. City Manager Mauldin-Robertson acknowledged Fabrice Kabona, Rona Stringfellow, Cheryl Womble, and Deborah Bunton for all the hours associated for this item.

Councilmember Morris thanked City Manager Mauldin-Robertson for managing staffs' budget proposals and thanked all of staff because this was a team effort.

MOTION: I, Councilmember Hairston, move that the property tax rate be increased by the adoption of a tax rate of 0.867500, which is effectively a 12.33 percent increase in the tax rate, seconded by Deputy Mayor Pro Tem Jaglowski to approve item 20. The vote was cast 6 for [Strain-Burk, Jaglowski, Knight, Hervey, Hairston, and Morris], 0 against [Mejia absent].

Mayor Knight shared without question the effort that staff has undergone to assemble the budget and to have it presented to council in a manner that is both transparent and discernable, is to be applauded. He hopes that our residents can recognize that we take this responsibility very seriously and are committed to address the needs of the community. He is proud of what was achieved tonight which is one of the most important duties that we do as a governing body.

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MOTION: Councilmember Morris made a motion, seconded by Deputy Mayor Pro Tem Jaglowski, to adjourn. The vote was cast 6 for, 0 against.

The meeting was adjourned at 7:54 p.m.

ATTEST:



Sorangel O. Arenas, City Secretary

APPROVED:


Marcus E. Knight, Mayor