

MINUTES

LANCASTER CITY COUNCIL REGULAR MEETING OF AUGUST 28, 2017

The City Council of the City of Lancaster, Texas, met in a called Regular session in the Council Chambers of City Hall on August 28, 2017 at 7:00 p.m. with a quorum present to-wit:

Councilmembers Present:

Mayor Marcus E. Knight
Carol Strain-Burk
Stanley Jaglowski
Marco Mejia
Mayor Pro Tem Clyde C. Hairston

Councilmembers Absent:

Spencer W. Hervey Jr.
Deputy Mayor Pro Tem Nina Morris

City Staff Present:

Opal Mauldin-Jones, City Manager
Rona Stringfellow, Assistant City Manager
Dori Lee, Human Resources Director
Shane Shepard, Director of Economic Development
Baron Sauls, Finance Director
Jim Brewer, Director of Public Works
Sean Johnson, Managing Director of Quality of Life & Cultural Services
Jermaine Sapp, Director of Equipment and Facility Services
Sam Urbanski, Police Chief
Robert Franklin, Fire Chief
Alton Dixon, Purchasing Agent
Fabrice Kabona, Assistant to the City Manager
Dale Jackson, Building Official/Interim Development Services Director
Chris Youngman, Assistant Fire Chief
Than Nguyen, City Engineer
David T. Ritter, City Attorney
Mayra A. Ortiz, Deputy City Secretary
Sorangel O. Arenas, City Secretary

Call to Order:

Mayor Knight called the meeting to order at 7:00 p.m. on August 28, 2017.

Invocation:

Pastor Earl Potts Sr. gave the invocation.

Pledge of Allegiance:

Mayor Pro Tem Hairston led the pledge of allegiance.

Proclamation:

Mayor Knight presented a proclamation proclaiming September 17, through September 23, 2017 as "Constitution Week" and asked our citizens to reaffirm the ideals the framers of the Constitution had in 1787.

Citizens' Comments:

Sean Johnson, 1700 Veterans Memorial Parkway, announced that the City of Lancaster has been selected and awarded the Community Playground Build Grant through the KaBOOM! Foundation along with their funding partner, Allstate Corporation. Managing Director of Quality of Life & Cultural Services Johnson shared that "Design Day" is the first opportunity to rally all project partners to get involved in the planning

process taking place on August 30, 2017, 5:30 p.m. at Beltline Elementary, 1355 W. Beltline Rd. Lancaster, Texas 75146. The "Build Day" for this wonderful project will take place on October 13, 2017.

Fabrice Kabona, 211 N. Henry, announced that the City of Lancaster will host the first of two Budget Town Hall Meetings on Thursday, August 31, 2017 at 6:30 p.m. and Saturday, September 9, 2017 at 9:00 a.m. Both meetings will be held at the Lancaster Recreation Center, Grand Hall located at 1700 Veterans Memorial Parkway. Topics will include property tax trends, sales tax trends, fund overview, proposed fiscal year 2017/2018 budget, and the budget schedule. Lastly, the District 2 Town Hall Meeting is scheduled for Thursday, September 7, 2017 at 6:30 p.m. at 2600 W. Pleasant Run Road.

Frank Mejia, 1500 W. Main Street, communicated congratulatory remarks for the reconstruction for Lancaster- Hutchins Road and Rogers Avenue. Also, he shared his concerns regarding the funding of the Golf Course.

Consent Agenda:

City Secretary Arenas read the consent agenda.

1. **Consider approval of minutes from the City Council Regular Meeting held on August 14, 2017.**
2. **Consider a resolution canceling the City Council Regular Meeting of October 23, 2017; Work Session of November 20, 2017; Regular Meeting of November 27, 2017; and Regular Meeting of December 25, 2017.**
3. **Discuss and consider a resolution approving the renewal of the terms and conditions of a Master Interlocal Agreement and/or Co-Funded Road and Bridge Maintenance Projects with Dallas County governing co-sponsored reconstruction of roadways and/or bridge maintenance projects.**
4. **Discuss and consider a resolution approving the terms and conditions of a Project Specific Agreement with Dallas County for the reconstruction of Highland Street, beginning at Cedardale Road and ending at Lyle Street. This is a supplement to the master interlocal agreement made by and between Dallas County and the City.**
5. **Consider a resolution authorizing the purchase of one (1) Type 1 Horton Ambulance Remount (Conversion) from Professional Ambulance for a 2017 Dodge 4500 in an amount not to exceed eighty-eight thousand three hundred forty-two dollars (\$88,342.00).**
6. **Consider a resolution authorizing the purchase of one (1) 2017 Dodge 4500 cab and chassis from Freedom Dodge through an interlocal agreement with Houston-Galveston Area Council (H-GAC) in an amount not to exceed forty-five thousand eight hundred fifty-two dollars (\$45,852.00).**

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski to approve consent items 1 through 6. The vote was cast 5 for, 0 against [Hervey and Morris absent].

PUBLIC HEARING:

7. **Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Beltline Ashmoore Public Improvement District.**

Assistant City Manager Stringfellow shared that the Beltline Ashmoore is an established subdivision consisting of approximately 19.42 acres. The subdivision has an approved Public Improvement District (PID)

to provide for maintenance of its common areas and entry features. Annually the PID board, in accordance with the provisions of Chapter 372 of the Texas Local Government Code, is required to present an updated five (5) year service and assessment plan. The PID board is required to establish a maintenance budget. The Beltline Ashmoore PID is proposing an annual assessment of \$0.1500 per \$100 assessed value. The public hearing was posted in the local publication of record on August 17, 2017 and notice mailed to property owners of record on August 14, 2017 as required by Local Government Code Chapter 372. The fiscal year 2017/2018 proposed service plan budget is \$86,048.67 and assessments are proposed at \$0.1500 per one hundred dollars assessed valuation. After opening the public hearing, staff recommended closing the public hearing and placing the item on the September 11, 2017 regular meeting for consideration.

Mayor Knight opened the public hearing.

There were no speakers.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Hairston to close the public hearing. The vote was cast 5 for, 0 against [Hervey and Morris absent].

MOTION: Councilmember Mejia made a motion, seconded by Councilmember Strain-Burk to place item 7 on September 11, 2017 agenda. The vote was cast 5 for, 0 against [Hervey and Morris absent].

8. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Boardwalk Public Improvement District.

Assistant City Manager Stringfellow stated Boardwalk is an established subdivision consisting of approximately 80.239 acres. The subdivision has an approved Public Improvement District (PID) to provide for maintenance of its common areas and entry features. Annually, the PID board, in accordance with the provisions of Chapter 372 of the Texas Local Government Code, is required to present an updated five (5) year service and assessment plan. The PID board is required to establish a maintenance budget. The Boardwalk PID is proposing an annual assessment of \$0.2000 per \$100 of assessed value. The public hearing was posted in the local publication of record on August 17, 2017 and notice mailed to property owner of record on August 14, 2017 as required by Local Government Code Chapter 372. The fiscal year 2017/2018 proposed service plan budget is \$157,077.23 and assessments are proposed at \$0.2000 per one hundred dollars assessed valuation. After opening the public hearing, staff recommended closing the public hearing and placing the item on the September 11, 2017 regular meeting for consideration.

Mayor Knight opened the public hearing.

There were no other speakers.

MOTION: Councilmember Mejia made a motion, seconded by Councilmember Strain-Burk to close the public hearing and place item 8 on September 11, 2017 agenda. The vote was cast 5 for, 0 against [Hervey and Morris absent].

9. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Glendover Estates Public Improvement District.

Assistant City Manager Stringfellow shared that Glendover Estates is an established subdivision of approximately 29.56 acres. The subdivision has an approved Public Improvement District (PID) to provide for maintenance of its common areas and entry features. Annually the PID board, in accordance with the provisions of Chapter 372 of the Texas Local Government Code, is required to present an updated five (5) year service and assessment plan. The Glendover Estates PID is proposing an annual assessment of

\$0.2400 per \$100 of assessed value. The public hearing was posted in the local publication of record on August 17, 2017 and notice mailed to property owners of record on August 14, 2017 as required by Local Government Code Chapter 372. The fiscal year 2017/2018 proposed service plan budget is \$30,353.00. After opening the public hearing, staff recommended closing the public hearing and placing the item on the September 11, 2017 regular meeting for consideration.

Mayor Knight opened the public hearing.

There were no other speakers.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Hairston to close the public hearing and place item 9 on September 11, 2017 agenda. The vote was cast 5 for, 0 against [Hervey and Morris absent].

10. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Lancaster Mills Public Improvement District.

Assistant City Manager Stringfellow shared that the Lancaster Mills is a subdivision of approximately 60.59 acres. The subdivision has an approved Public Improvement District (PID) to provide for maintenance of its common areas and entry features. Annually the PID board, in accordance with the provisions of Chapter 372 of the Texas Local Government Code, is required to present an updated five (5) year service and assessment plan. As this district is currently undeveloped, the proposed assessment rate of \$0.0000 per \$100 assessed valuation as there are no budgeted expenses for the 2017/2018 fiscal year. The public hearing was posted in the local publication of record on August 17, 2017 and notice mailed to the property owners of record on August 14, 2017 as required by Local Government Code Chapter 372. After opening the public hearing, staff recommended closing the public hearing and placing the item on the September 11, 2017 regular meeting for consideration.

Mayor Knight opened the public hearing.

There were no other speakers.

MOTION: Councilmember Mejia made a motion, seconded by Councilmember Strain-Burk to close the public hearing and place item 10 on September 11, 2017 agenda. The vote was cast 5 for, 0 against [Hervey and Morris absent].

11. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Meadowview Public Improvement District.

Assistant City Manager Stringfellow shared that Meadowview is an established subdivision consisting of approximately 215.262 total acreage. Annually, the PID board, in accordance with the provisions of Chapter 372 of the Texas Local Government Code, is required to present an updated five (5) year service and assessment plan. The Meadowview PID is proposing an annual assessment of \$0.1000 per \$100 assessed value. The fiscal year 2017/2018 proposed service plan budget is \$377,175.00. The increase in budget is for the maintenance of its common areas and entry features. Staff received one opposition to the proposed annual assessment by Bridget Wayne. After opening the public hearing, staff recommended closing the public hearing and placing the item on the September 11, 2017 regular meeting for consideration.

Mayor Knight opened the public hearing.

Harmonica Mays, 3113 Crimson Clover Drive, shared that she is a PID board member and requested guidance and clarity with moving forward with item 11. Mayor Knight communicated that Assistant City Manager Stringfellow will address her request to better manage the Public Improvement District.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Hairston to close the public hearing and place item 11 on September 11, 2017 agenda. The vote was cast 5 for, 0 against [Hervey and Morris absent].

12. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Millbrook East Public Improvement District.

Assistant City Manager Stringfellow shared that Millbrook East is an established subdivision consisting of approximately 46.265 acres. Annually, the PID board in accordance with the provisions of Chapter 372 of the Texas Local Government Code is required to present an updated five (5) year service and assessment plan. The PID board is required to establish a maintenance budget. The Millbrook East PID is proposing an annual assessment of \$0.1500 per \$100 assessed value. The public hearing was posted in the local publication of record on August 17, 2017 and notice mailed to the property owners of record on August 14, 2017 as required by Local Government Code Chapter 372. The fiscal year 2017/2018 proposed service plan budget is \$88,842.00 and assessments are proposed at \$0.1500 per one hundred dollars assessed valuation. After opening the public hearing, staff recommended closing the public hearing and placing the item on the September 11, 2017 regular meeting for consideration.

Councilmember Strain-Burk inquired why the funds in the five (5) year service plan were different in year 2019. Assistant City Manager Stringfellow commented that the service plan was submitted to staff by PID Board and staff will provide answer for the increase in 2019 to the City Council.

Mayor Knight opened the public hearing.

There were no other speakers.

MOTION: Mayor Pro Tem Hairston made a motion, seconded by Councilmember Strain-Burk to close the public hearing and place item 12 on September 11, 2017 agenda. The vote was cast 5 for, 0 against [Hervey and Morris absent].

13. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Pleasant Run Estates Phase 1-A Public Improvement District.

Mayor Knight recused himself from this item.

Assistant City Manager Stringfellow shared that Pleasant Run Estates, Phase 1-A is an established subdivision consisting of approximately 30.44 acres. Annually, the PID board, in accordance with the provisions of Chapter 372 of the Texas Local Government Code, is required to present an updated five (5) year service and assessment plan. The Pleasant Run Estates, Phase 1-A PID is proposing an annual assessment of \$0.1800 per \$100 assessed value. The public hearing was posted in the local publication of record on August 17, 2017 and notices mailed to the property owners of record on August 14, 2017 as required by Local Government Code Chapter 372. The 2017/2018 proposed service plan budget is \$48,101.00 and assessments are proposed at \$0.1800 per one hundred dollars assessed valuation. After opening the public hearing, staff recommended closing the public hearing and placing the item on the September 11, 2017 regular meeting for consideration.

Mayor Pro Tem Hairston opened the public hearing.

There were no other speakers.

MOTION: Councilmember Mejia made a motion, seconded by Councilmember Strain-Burk to close the public hearing and place item 13 on September 11, 2017 agenda. The vote was cast 4 for, 0 against [Mayor Knight recused] [Hervey and Morris absent].

14. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Rolling Meadows Public Improvement District.

Councilmember Jaglowski recused himself from this item.

Assistant City Manager Stringfellow shared that Rolling Meadows is an established subdivision consisting of approximately 38.8 acres. Annually, the PID board, in accordance with the provisions of Chapter 372 of the Texas Local Government Code, is required to present an updated five (5) year service and assessment plan. The PID board is required to establish a maintenance budget. The public hearing was posted in the local publication of record on August 17, 2017 and notice mailed to the property owners of record on August 14, 2017 as required by Local Government Code Chapter 372. The Rolling Meadows PID is proposing an annual assessment of \$0.2500 per \$100 assessed value. The fiscal year 2017/2018 proposed service plan budget is \$92,608.00 and assessments are proposed at \$0.2500 per one hundred dollars assessed valuation. After opening the public hearing, staff recommended closing the public hearing and placing the item on the September 11, 2017 regular meeting for consideration.

Mayor Knight opened the public hearing.

There were no other speakers.

MOTION: Councilmember Mejia made a motion, seconded by Mayor Pro Tem Hairston to close the public hearing and place item 14 on September 11, 2017 agenda. The vote was cast 4 for, 0 against [Jaglowski recused] [Hervey and Morris absent].

15. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Tribute at Mills Branch and Tribute East at Mills Branch Public Improvement District.

Assistant City Manager Stringfellow shared that Tribute at Mills Branch and Tribute East at Mills Branch is a subdivision of approximately 42.7 acres. Annually, the PID board, in accordance with the provision of Chapter 372 of the Texas Local Government Code, is required to present an updated five (5) year service and assessment plan. As this district is now completed, a new PID board is in the process of being elected and the former PID board has proposed an assessment plan for lots with completed homes at a rate of \$0.3600 per \$100 assessed valuation and lots without completed homes at \$0.8000 per \$100 assessed valuation, as adopted in FY 2017/2018 in the five (5) year service plan and budget adoption. The public hearing was posted in the local publication of record on August 17, 2017 and notice mailed to the property owners of record August 14, 2017 as required by Local Government Code Chapter 372. The fiscal year 2017/2018 proposed service plan is \$21,271 and assessments are proposed at \$0.3600 (lots with homes) per one hundred dollars assessed valuation and \$0.8000 (lots without homes) per one hundred dollars assessed valuation. After opening the public hearing, staff recommended closing the public hearing and placing the item on the September 11, 2017 regular meeting for consideration. Lastly, Tera Nunn and Tyra Nunn would like to make of record their opposition in item 15.

Councilmember Jaglowski inquired of Assistant City Manager Stringfellow the name of the management company which is Vision Communities.

Mayor Knight opened the public hearing.

There were no other speakers.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Hairston to close the public hearing and place item 15 on September 11, 2017 agenda. The vote was cast 5 for, 0 against [Hervey and Morris absent].

- 16. Conduct a public hearing and discuss an ordinance regarding the proposed revenue increase from levying ad valorem taxes for fiscal year 2017/2018 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-Jones stated that the current tax rate for fiscal year 2017/2018 is proposed at \$0.8675 per one hundred dollars assessed valuation on taxable property within the corporate limits. The proposed tax rate of eighty-six seventy-five one thousandths cents (\$0.8675) on each one hundred dollars (\$100.00) assessed value of taxable property to be apportioned and distributed as follows: \$0.6012 for the purpose of maintenance and operations, and \$0.2663 for interest and sinking fund requirements. This is the first of two public hearings regarding the proposed tax rate. The second public hearing of the tax rate is scheduled for September 11, 2017 regular Council Meeting at Lancaster Municipal Center, City Council Chambers located at 211 North Henry Street. The governing body may not adopt the tax rate at either of the public hearings. The governing body must announce the date, time and place of the meeting at which it will officially vote on the tax rate. The vote on the tax rate is scheduled for Monday, September 18, 2017 at 7:00 p.m. at Lancaster Municipal Center, City Council Chambers located at 211 North Henry Street.

Councilmember Mejia emphasized that the tax rate has been maintained for six years.

Mayor Knight opened the public hearing.

There were no other speakers.

MOTION: Councilmember Mejia made a motion, seconded by Councilmember Strain-Burk to close the public hearing and place item 16 on September 11, 2017 agenda. The vote was cast 5 for, 0 against [Hervey and Morris absent].

- 17. Conduct a public hearing and discuss an ordinance approving the proposed fiscal year 2017/2018 budget for the fiscal year beginning October 1, 2017 and ending September 30, 2018; providing that expenditures for said fiscal year shall be in accordance with said budget.**

City Manager Mauldin-Jones stated that item 17 is to consider fiscal year 2017/2018 budget in the amount of \$55,398,889.00. This is the first of two public hearings on the proposed budget. The second and final public hearing is scheduled for September 11, 2017 and consideration for adoption of the proposed budget is scheduled on Monday, September 18, 2017 at the Lancaster City Council Regular Meeting.

Mayor Knight opened the public hearing.

There were no other speakers.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Hairston to close the public hearing and place item 17 on September 11, 2017 agenda. The vote was cast 5 for, 0 against [Hervey and Morris absent].

Mayor Knight altered the agenda.

19. Discuss and consider an ordinance amending Chapter 24 "Utilities" of the Lancaster Code of Ordinances by adding Article 24.09 Rights-of-Way Management.

City Manager Mauldin-Jones shared that during the June 9, 2017 session of the Texas Legislature the Governor signed Senate Bill 1004 which will become effective September 1, 2017. This bill added a new chapter (Chapter 284) into the Texas Local Government Code as it includes strict limitations and prohibitions on cities' regulation on what are commonly referred to as "small cell antennas" or distributed antenna systems". This ordinance will add Article 24.09 (Rights-of-Way Management) into Chapter 24 (Utilities) of the Lancaster Code of Ordinances. This new article will define the process of obtaining the permit, permit requirements, implementation, and payment for improvements within the City's rights-of-way. Cities must have regulations in place prior to the September 1, 2017. Staff recommends approval of the ordinance amending Chapter 24 of the Code of Ordinances by adding Article 24.09 Rights-of-Way Management.

MOTION: Mayor Pro Tem Hairston made a motion, seconded by Councilmember Strain-Burk to approve item 19. The vote was cast 5 for, 0 against [Hervey and Morris absent].

18. Discuss and Consider Network Node and Node Support Pole Regulations pursuant to Chapter 284 of the Texas Local Government Code.

City Manager Mauldin-Jones shared that the provisions of Chapter 284 relate to installation of network nodes and node support poles in the public rights-of-way. SB 1004 allows local governments to designate historic districts and overlay districts with criteria for design or concealment. Chapter 284 also provides restrictions on installation of new poles in residential areas and parks, and discourages nodes in those areas. The purpose of the design manual is to establish aesthetic standards associated with network nodes and node support poles.

City Attorney Ritter recommended adding subsection I, Adoption of Design Manual, to Section 24.10.003 which shall state, "The City's Design Manual for the Installation of Network Nodes and Node Support Poles, is hereby adopted and the text of this subsection 24.10.003(i) is added to the Lancaster Development Code ("LDC") as new section 14.402(k)(2). In the event of a conflict between the manual and the LDC, the LDC shall control."

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Hairston to approve item 18 with the recommended changes notated by City Attorney Ritter. The vote was cast 5 for, 0 against [Hervey and Morris absent].

20. Discuss and consider a resolution amending the Master Fee Schedule, Article 17.000 – Development Fees to provide an application and annual user fee for "small cell antennas" or "distributed antenna systems".

City Manager Mauldin-Jones shared that the fess adopted are established by State of Texas.

MOTION: Councilmember Mejia made a motion, seconded by Mayor Pro Tem Hairston to approve item 20. The vote was cast 5 for, 0 against [Hervey and Morris absent].

Mayor Knight reminded that the City of Lancaster will host the first Budget Town Hall Meeting on Thursday, August 31, 2017 at 6:30 p.m. Also, he strongly encourages the public to assist, if capable, with those affected by Hurricane Harvey.

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MOTION: Mayor Pro Tem Hairston made a motion, seconded by Councilmember Mejia, to adjourn. The vote was cast 5 for, 0 against [Hervey and Morris absent].

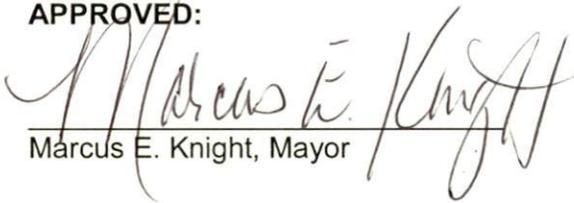
The meeting was adjourned at 7:53 p.m.

ATTEST:



Sorangel O. Arenas, City Secretary

APPROVED:



Marcus E. Knight, Mayor