

## MINUTES

## LANCASTER CITY COUNCIL REGULAR MEETING OF AUGUST 13, 2018

The City Council of the City of Lancaster, Texas, met in a called Regular Session in the Council Chambers of City Hall on August 13, 2018 at 7:15 p.m. with a quorum present to-wit:

**Councilmembers Present:**

Mayor Clyde C. Hairston  
Carol Strain-Burk  
Deputy Mayor Pro Tem Stanley Jaglowski  
Mayor Pro Tem Marco Mejia  
Derrick D. Robinson  
Racheal Hill  
Nina Morris

**City Staff Present:**

Opal Mauldin-Jones, City Manager  
Rona Stringfellow, Assistant City Manager  
Fabrice Kabona, Assistant to the City Manager  
Jasmine Carr, Community Programs Coordinator  
Baron Sauls, Finance Director  
Sharon Jungman, Assistant Finance Director  
Kenneth Johnson, Fire Chief  
Sam Urbanski, Police Chief  
Amanda Monsivais, Benefits and Risk Manager  
Dori Lee, Director of Human Resources  
Jermaine Sapp, Director of Equipment Services and Facilities  
Delajer Walker, Interim E.C. Superintendent  
David T. Ritter, City Attorney  
Sorangel O. Arenas, City Secretary

**Call to Order:**

Mayor Hairston called the meeting to order at 7:36 p.m. on August 13, 2018.

**Invocation:**

Pastor Sam Bailey gave the invocation.

**Pledge of Allegiance:**

Councilmember Nina Morris led the pledge of allegiance.

**Recognition:**

Assistant to the City Manager Kabona shared that the recognition is an effort to comply with City Council's Goals and Objectives. The program is to encourage Civic Engagement by recognizing residential and commercial owners who demonstrate above-average efforts in maintaining their property, thereby contributing to the overall appearance of the community at large. The program is administered by the Lancaster Eyes & Ears Program (LEEP) volunteers. Every quarter staff showcases one Lancaster homeowner and one business owner who have kept their yard in exceptional condition. The volunteers will vote for and choose a lawn that best typifies the qualities of uniqueness, beauty, appeal, and consistency with the guidelines. He recognized the Lancaster Eyes & Ears Program (LEEP) volunteers and expressed his appreciation for their efforts.

Assistant to the City Manager Kabona recognized Gary Haynes for winning Best Yard Award contest in the residential category held from April to June 2018. Mayor Hairston presented the award to Gary Haynes.

Assistant to the City Manager Kabona recognized Nelly's Tree Company for winning Best Yard Award contest in the commercial category held from April to June 2018. Mayor Hairston presented the award to Nelly's Tree Company.

**Citizens Comments:**

Willie Houston, 229 Creekwood Drive, shared his concerns regarding the construction to his neighbor's fence and inquired the contact information to a staff member.

Sean Mixon, 1029 Brookhaven, expressed his gratitude to Mayor Hairston for his involvement and participation with the Lancaster Independent School District.

Tiwanda Shaw, 6868 Foghorn Lane, Grand Prairie, spoke in favor of item 5 and requested for Mayor Hairston to appoint a new City Council City Facility Naming Sub-Committee.

Arthur Flemming, 822 Westover Drive, spoke in favor of item 5 request to rename the current facility "Public Safety Building" to the proposed "Craig L. Shaw Public Safety Building."

Spencer Hervey, 1525 Aldridge Drive, spoke in favor of item 5 request to rename the current facility "Public Safety Building" to the proposed "Craig L. Shaw Public Safety Building." Additionally, he requested to appoint a new City Council City Facility Naming Sub-Committee.

Vic Buchanon, 1243 Margaret Court, spoke in favor of item 5 request to rename the current facility "Public Safety Building" to the proposed "Craig L. Shaw Public Safety Building."

Sabrina Hervey, 1525 Aldridge Drive, did not wish to speak but requested her support of item 5.

Kyra Freeman, 1517 Aldridge Drive, did not wish to speak but requested her support of item 5.

Michael Freeman, 1517 Aldridge Drive, did not wish to speak but requested her support of item 5.

Mayor Hairston altered the agenda and moved item 5 following the consent agenda.

**Consent Agenda:**

City Secretary Arenas read the consent agenda.

1. **Consider approval of minutes from the City Council Special Meeting held on June 4, 2018 and City Council Regular Meetings held on June 11, 2018 and June 25, 2018.**
2. **Discuss and consider the City of Lancaster proposed Fiscal Year 2018/2019 employee insurance program.**

**MOTION:** Councilmember Morris made a motion, seconded by Councilmember Strain-Burk to approve consent items 1 and 2. The vote was cast 7 for, 0 against.

5. **Discuss the appointment of a Committee to consider an application for a City Facility Name Change Request.**

Mayor Hairston requested comments from City Attorney Ritter.

City Attorney Ritter stated that item 5 is to consider an application for a City Facility Name Change Request as outlined in the Naming of City Facilities Policy. The governing body may accept the application and form subcommittee made up of five (5) individuals. Two (2) council members, at least one representative from a Board or Commission which oversees the city function of the City facility, and two (2) members at-large representing the public. As discussed during the Special Work Session, City Council has various options as authorized by the policy. An option may be for the governing body to forward the application to the current established subcommittee or may establish a new subcommittee made up of five (5) individuals. Should a new subcommittee be appointed, the nominations are composed by the Mayor. The governing body requires super-majority vote to appoint each nominated member.

Councilmember Hill inquired from City Attorney Ritter if the policy discusses multiply applications. City Attorney Ritter stated that the policy does not reflect multiply applications. Each subcommittee may recommend a name and shall be responsible for research, study, and recommendation of a proposed name to the City Council.

Councilmember Strain-Burk inquired from City Attorney Ritter if the policy may be amended before considering item 5 received as the application was submitted in compliance with the current adopted Naming of City Facilities Policy. City Attorney Ritter stated that there are no legal constraints; however, if the policy is amended the application would be evaluated under different processes and may be encounter some dual-process issues.

Mayor Hairston informed City Council that item 5 may either be directed to the existing subcommittee or item 5 may be forwarded to new subcommittee. He seeked direction from the City Attorney for guidance.

City Attorney Ritter advised that a simple majority vote is needed to determine the direction of item 5.

Councilmember Morris expressed her concerns on the policy and desired to revamp the policy and start the entire process over. She suggested considering item 5 and then gaining the opportunity to review and discuss the policy.

Mayor Pro Tem Mejia recommended accepting the application and determine the subcommittee. Once the decision has been obtained by the subcommittee then the governing body may take further action.

City Attorney clarified that the motion was to accept the application but to defer it to a subcommittee on August 27, 2018 City Council Regular Meeting.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Mejia to accept the application and table the appointment of a Committee to the August 27, 2018 Regular Meeting. The vote was cast 7 for, 0 against.

### **3. Discuss and consider appointments to the Hike and Bike Trails Advisory Committee.**

City Manager Mauldin-Jones spoke on item 3 and noted that at the April 16, 2018 Work Session, City Council was briefed on the Trails Advisory Committee Master Plan member appointment process. On April 23, 2018, the following members were appointed: Stanley Jaglowski, Deputy Mayor Pro Tem; Mark Powell, Gretchen Weaver, Library Board; Bridgette Smith; Sean Mixon; Petra Covington, 4B/Park Board; Gregory Buchanan, LISD; John Paulus; Jeremy Reed, Planning & Zoning; Kevin Kokes, NCTCOG. On May 22, 2018, the consultant firm, Dunaway Associates, conducted a kick-off meeting to update the City Council appointed Committee. Planning and Zoning Commissioner, Karen Collins, and Lancaster ISD Interim Facilities Director, James Thomas were appointed to replace Jeremy Reed and Gregory Buchanan at the July 30, 2018 City Council Special Meeting. Ms. Bridgette Smith had to resign due to job relocation; therefore, City Council will need to appoint a replacement advisory committee member. Mr. Kevin Mondy has expressed an interest in serving.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to appoint Kevin Mondy to the Hike and Bike Trails Advisory Committee. The vote was cast 7 for, 0 against.

### **4. M18-12 Consider an appeal of the Planning and Zoning Commission decision regarding exception to the shrubbery requirement from the Landscape Ordinance for three (3) proposed and one (1) existing warehouse properties located at 1101, 1107, 1113 and 1119 Katy Street Lancaster, Dallas County Texas.**

Mayor Pro Tem Mejia recused himself from item 4.

City Attorney Ritter shared that Mayor Pro Tem Mejia submitted an Affidavit of Conflict of Interest form in accordance with the state law provisions.

City Manager Mauldin-Jones spoke on item 4 to consider an exception for properties located at 1101, 1107, 1113 and 1119 Katy Street and the sizes are 0.87 acres, 0.89 acres, 0.90 acres and 0.91 acres. The applicant is planning to construct three warehouse buildings and possesses an existing structure on the properties and requested for an exception from the Lancaster Development Code (LDC) which states that "At least one shrub shall be required for every fifty (50) square feet of the required landscape area. Placement of such shrubbery shall be taken into consideration as to the plant at full maturity, and be located so as not to conflict with vehicular or pedestrian traffic visibility". The applicant is proposing 32 shrubs on 1113 Katy Street instead of the required 126 required shrubs, 32 shrubs on 1107 Katy Street instead of 125 required shrubs, 31 shrubs on 1101 Katy Street instead of the 122 required shrubs and 12 shrubs instead of 127 required shrubs have been installed at 1119 Katy. The Planning and Zoning Commission considered the exception at the August 7, 2018 Regular Meeting. The Commission denied the exception as submitted. Staff recommended approval of the exception request. Staff recommended approval of the shrubbery exception request as presented since the landscaping meets the overall intent and spirit of the LDC. She shared since the Planning and Zoning Commission recommended denial, the Lancaster Development Code allows the applicant to appeal the decision to City Council. Super majority is required for approval of the appeal.

Councilmember Strain-Burk stated that after viewing the properties, she does not believe the number of shrubs would proper fit. She commended the applicant for proceeding with the landscaping by installing an xeriscape which aids in water conservation.

Councilmember Hill expressed similar concerns on the requested number of shrubs. She applauded the landscape design for installing 100% xeriscape which aid in water conservation.

Deputy Mayor Pro Tem Jaglowski inquired confirmation from City Manager Mauldin-Jones if the Lancaster Development Code (LDC) offers xeriscaping. City Manager Mauldin-Jones confirmed and shared that the application is seeking 100 % xeriscape which seeks an exception as the applicant has met the minimum of 20% if all landscaping materials have lower water demand. Staff recommended approval of the exception request for the shrubbery requirement as presented and recommended the applicant install the required number of trees on the property addressed as 1119 Katy Street.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve item 4 excluding the landscape variance. The vote was cast 6 for, 0 against [Mejia recused]

- 6. Discuss the proposed FY 2018/2019 tax rate of \$0.8675 per \$100 assessed valuation, received related tax calculation documents, take record to vote to consider a tax rate to increase total tax revenues from properties on the tax roll in the previous year and set public hearing dates on the proposed tax rate.**

City Manager Mauldin-Jones spoke on item 6 and shared that pursuant to Truth-in-Taxation requirements, and following receipt of tax calculations from Dallas County Tax Office, the governing body must take a record vote to consider a tax rate for the 2018/2019 fiscal year that resulted in an increase in total tax revenues from properties on the tax roll in the previous year. The governing body must also set and announce the date, time and location of any required public hearings to consider the tax rate. The City of Lancaster experienced an increase of 14.40% in taxable property values over the previous fiscal year values. She stated that staff is maintaining the existing tax rate and based on the calculations, the Certified Values is approximately \$2.5 billion dollars; Effective Tax Rate at \$0.8675 per \$100 assessed valuation; Rollback Tax Rate at \$0.900543 per \$100 assessed valuation. Staff recommends that City Council take a record vote on the proposal to consider a tax rate that will result in an increase in total revenues from properties on the tax roll in the previous year. She stated that this is not a vote on the tax but just to consider this tax rate which is how the budget was prepared and calculated. The first public hearing is scheduled for Monday, August 20, 2018 at 7:00 p.m. at the Lancaster Municipal Center, 211 North Henry Street, Lancaster, Texas 75146. The second public hearing is scheduled for Monday, August 27, 2018 at 7:00 p.m. at the Lancaster Municipal Center, 211 North Henry Street, Lancaster, Texas 75146.

Mayor Pro Tem Mejia reiterated that item 6 the proposal of maintaining the existing tax rate. He commented that the city received an increase of taxable property values and the governing body continues to seek alternatives to receive new taxable revenue. He expressed his gratitude to the citizens of Lancaster for their patience for the last several years.

Councilmember Morris agreed with Mayor Pro Tem Mejia and is excited to receive comments in the public hearings. She expressed her appreciation to staff continuing to maintain the existing tax rate for approximately ten years.

Deputy Mayor Pro Tem Jaglowski inquired when the Budget Town Hall Meeting will occur. City Manager Mauldin-Jones announced that the City of Lancaster will host a Budget Town Hall Meetings on Thursday, August 16, 2018 at 6:30 p.m. at the Lancaster Recreation Center, Grand Hall located at 1700 Veterans Memorial Parkway. The meeting is scheduled to be recorded and available on the city's website as well as social media sites.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Councilmember Morris to approve item 6 and announced the first public hearing scheduled for Monday, August 20, 2018 at 7:00 p.m. at the Lancaster Municipal Center, 211 North Henry Street, Lancaster, Texas 75146. The second public hearing scheduled for Monday, August 27, 2018 at 7:00 p.m. at the Lancaster Municipal Center, 211 North Henry Street, Lancaster, Texas 75146. The vote was cast 7 for, 0 against.

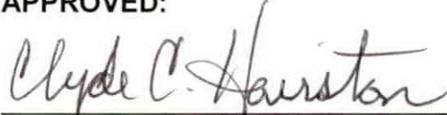
**MOTION:** Councilmember Strain-Burk made a motion, seconded by Councilmember Morris to adjourn. The vote was cast 7 for, 0 against.

The meeting was adjourned at 8:58 p.m.

**ATTEST:**

  
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Sorangel O. Arenas, City Secretary

**APPROVED:**

  
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Clyde C. Hairston, Mayor