

MINUTES

LANCASTER CITY COUNCIL REGULAR MEETING OF AUGUST 27, 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 27, 2018 at 7:00 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
Alton Dixon, Purchasing Agent
Jasmine Carr, Community Programs Coordinator
Andrew Waits, Water/Wastewater Superintendent
Baron Sauls, Finance Director
Kenneth Johnson, Fire Chief
Chris Youngman, Assistant Fire Chief
Beau Jackson, Battalion Chief
Sam Urbanski, Police Chief
Dori Lee, Director of Human Resources
Bruce Taylor, HR Generalist
Jermaine Sapp, Director of Equipment Services and Facilities
Bester Munyaradzi, Senior Planner
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 7:00 p.m. on August 27, 2018.

Invocation:

Pastor Keith Hall gave the invocation.

Pledge of Allegiance:

Councilmember Carol Strain-Burk led the pledge of allegiance.

Proclamation:

Mayor Hairston presented a proclamation proclaiming September 17, through September 23, 2018 as "Constitution Week" and asked our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.

Citizens Comments:

Susie Weaver, 411 S. Centre Ave., shared her concerns regarding any future regulations to the Historic Guidelines and requested assistance for the maintenance of the downtown Square.

Barbara Thomas, 125 Historic Town Square, communicated information about the "Second Saturday" and requested City's publication of the event. Mrs. Thomas requested the City's help to maintain the Downtown Historic Square as well as requested for the Christmas parade to be conducted on the first Saturday in the month of December.

John G. Thomas, 125 Historic Town Square, requested recognition of the small businesses located in Historic Town Square. He stated that he is the owner of The Tattered Jacket Bookstore and asked citizens to come visit the bookstore. Additionally, he sought for all City's ordinances to be enforced.

James Adams, 2003 Hash Road, spoke in opposition of item 1.

Steven Strange, 1551 Renolds Street, shared his concerns regarding excessive motor vehicles speeding in his residential area. Mayor Hairston communicated that Police Chief Urbanski may provide assistance to address his concerns.

Consent Agenda:

City Secretary Arenas read the consent agenda.

1. **Discuss and consider a resolution authorizing the agreement between the City of Lancaster and the Texas Department of Transportation (TxDOT) to contribute Right-of-way funds for the Loop 9 Project.**
2. **Consider a resolution approving the terms and conditions of an interlocal agreement by and between the City of Lancaster and Dallas County Department of Health and Human Services to provide certain health services.**
3. **Consider a resolution approving the terms and conditions of an interlocal agreement by and between the City of Lancaster and Dallas County Department of Health and Human Services to provide certain food establishment inspections and environmental services.**
4. **Consider a resolution authorizing Dallas County to resell 3600 Cumberland Street, 3321 Balomede Avenue, and 620 West 8th Street, tax foreclosed properties, by public or private sell, to the highest qualified purchaser, as provided by Section 34.05 of the Texas Property Tax Code.**

Councilmember Strain-Burk pulled item 1.

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve consent items excluding item 1. The vote was cast 7 for, 0 against.

1. **Discuss and consider a resolution authorizing the agreement between the City of Lancaster and the Texas Department of Transportation (TxDOT) to contribute Right-of-way funds for the Loop 9 Project.**

Councilmember Strain-Burk requested City Manager Mauldin-Jones to provide a status update and provide comments on item 1. City Manager Mauldin-Jones stated that item 1 was presented at several Work Session Meetings with the latest one held on August 6, 2018 where City Council discussed the option to contribute funds over three (3) fiscal years as authorized by the TXDOT. The Cities of Ferris and Red Oak have authorized funding for their portion of the project subject to approval of other jurisdictions along the route. Dallas County has also considered and approved participation on the project at their last meeting. Ellis County is scheduled to consider the agreement. The City of Lancaster was notified that the local participation is \$448,890.05 for the cost of the right-of-way acquisition that will be required for the project in which the cost will not fluctuate over time.

Councilmember Strain-Burk identified that item 1 is supported by the North Central Texas Council of Government (NCTCOG) Regional Transportation Plan.

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve consent item 1. The vote was cast 7 for, 0 against.

Mayor Hairston entered into executive session, pursuant to Texas Government Code Section 552.071(2) to seek legal advice regarding items 5 and 6.

The City Council recessed for Executive Session and reconvened into open session at 8:41 p.m.

5. Discuss the appointment of a City Council Sub-committee to consider an application from Tiwanda Shaw for a City Facility Name Change Request to rename the current Public Safety Building to the proposed "Craig L. Shaw Public Safety Building."

Mayor Hairston requested comments from City Attorney Ritter. City Attorney Ritter stated that appointments shall be made by the Mayor subject to City Council approval. The subcommittee will be made up of five (5) individuals. Two (2) councilmembers, at-least one (1) representative from a Board or Commission which oversees the city function of the City Facility, and two (2) members at-large that represent the public.

Mayor Hairston appointed Councilmember Hill, Mayor Pro Tem Mejia, Civil Service Commissioner Keith Whitley; Roosevelt Truitt, and Lafayette Miles.

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to confirm the appointments made by Mayor Hairston. The vote was cast 7 for, 0 against.

6. Discuss and consider a request to rename the Public Safety Building to "The Larry W. Flatt Public Safety Building."

Mayor Hairston requested comments from City Attorney Ritter regarding action from item 6. City Attorney Ritter shared that item 5 has been assigned to a City Council Sub-committee. Item 6 has been tabled to a future City Council Meeting to provide the opportunity for the sub-committee to item 5 to provide a recommendation to the governing body.

MOTION: Mayor Pro Tem Mejia made a motion, seconded by Councilmember Morris to table item 6. The vote was cast 7 for, 0 against.

Mayor Hairston altered the agenda as a request to speak form was overseen. He requested Jamil Teasly to provide his comments.

Jamil Teasly, 1334 Rosewood, expressed his appreciation to the Fire Department at Station 3 for providing medical attention and saving his life.

7. Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Beltline Ashmoore Public Improvement District.

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve item 7. The vote was cast 7 for, 0 against.

8. Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Boardwalk Public Improvement District.

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve item 8. The vote was cast 6 for, 0 against [Morris absent].

9. Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Glendover Estates Public Improvement District.

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve item 9. The vote was cast 6 for, 0 against [Morris absent].

10. **Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Lancaster Mills Public Improvement District.**

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve item 10. The vote was cast 7 for, 0 against.

11. **Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Meadowview Public Improvement District.**

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve item 11. The vote was cast 7 for, 0 against.

12. **Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Millbrook East Public Improvement District.**

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve item 12. The vote was cast 7 for, 0 against.

13. **Discuss and consider 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.**

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve item 13. The vote was cast 7 for, 0 against.

14. **Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Rolling Meadows Public Improvement District.**

Deputy Mayor Pro Tem Jaglowski recused himself from item 14.

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

15. **Discuss and consider 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.**

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve item 15. The vote was cast 7 for, 0 against.

16. **Consider confirmation of Civil Service Commission appointment as designated by the City Manager.**

City Manager Mauldin-Jones shared that staff received ten (10) applications for consideration. State law requires that the City maintain a Civil Service Commission. With only three members on the Commission, it is important that all three positions be filled in order for the Commission to conduct its required business. She respectfully submitted Corey Womack to be appointed to the Civil Service Commission to fulfill an expired term in 2020.

MOTION: Councilmember Morris made a motion, seconded by Councilmember Strain-Burk to approve item 16. The vote was cast 7 for, 0 against.

17. Discuss and consider appointments to the Library Advisory Board, Planning and Zoning Commission, Property Standards and Appeals Board, and Airport Advisory Board.

Mayor Hairston shared that there are five (5) vacancies as a result of resignations.

Nominated for the vacant position to the Library Advisory Board with a term expiring in 2018, was Antionette Turner and Darryl Yancy.

City Secretary Arenas conducted a roll call on the following nominations: Antionette Turner and Darryl Yancy.

The roll call vote was cast 6 for, 1 against [Morris] to appoint Antionette Turner to the Library Advisory Board to fulfill an unexpired term expiring 2018.

Nominated for the vacant position to the Planning and Zoning Commission with a term expiring in 2018, was Ty Jones.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Robinson to appoint Ty Jones to the Planning and Zoning Commission to fulfill an unexpired term expiring 2018. The vote was cast 7 for, 0 against.

Nominated for the vacant position to the Planning and Zoning Commission with a term expiring in 2018, was Ernest Casey.

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to appoint Ernest Casey to the Planning and Zoning Commission to fulfill an unexpired term expiring 2018. The vote was cast 7 for, 0 against.

Nominated for the vacant position to the Property Standards and Appeals Board with a term expiring in 2018, was Alan Beavers.

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to appoint Alan Beavers to the Property Standards and Appeals Board to fulfill an unexpired term expiring 2018. The vote was cast 7 for, 0 against.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Mejia to appoint Barbara Thomas to the regular position to the Airport Advisory Board to fulfill an unexpired term expiring 2018 and appoint Curtis Samples to the alternate position for a term expiring 2018 to the Airport Advisory Board. The vote was cast 7 for, 0 against.

Public Hearing:

18. Z18-02 Conduct a Public Hearing and consider an ordinance granting a rezoning request from Agricultural Open (A-O) to Commercial Highway (CH) for a carwash, convenience store with fuel dispensers, deli, and a restaurant. The property is approximately 2.6 acres and is located on the southeast corner of Parkerville Road and I-35 East Service Road. The property is more particularly described as a tract of land situated in the Charles H. Bernard Survey Abstract No. 430, City of Lancaster, Dallas County, Texas.

City Manager Mauldin-Jones spoke on item 18 and shared the request is to rezone the subject property from Agricultural Open (A-O) to Commercial Highway (CH) located on the southeast corner of Parkerville Road and I-35 Service Road and is 2.6 acres in size. The request is to allow a 3,397 square feet carwash, a 3,600 square feet convenience store with 5 fuel dispensers, a 1,351 square feet delicatessen, and a 1,800 square feet restaurant development (totaling 6,751 square feet). The City's 2016 Comprehensive Plan identifies this site as suitable for commercial development. The proposed zoning change is consistent with the 2016 Future Land Use Map of the Comprehensive Plan. The subject property is served by City of Lancaster sewer and

water and the applicant will be responsible to connect those utilities. Upon construction of the site, factors such as topography and flood plain issues would be addressed as part of the site plan approval process during the civil review before construction. The City of Lancaster Capital Improvement Plan (CIP) does not obtain improvement planned for Parkerville Road. The Master Thoroughfare Plan (MTP) showed Parkerville Road as a future Urban Minor Arterial which requires 90 feet of Right-of-Way (ROW). The applicant will dedicate 25 feet of ROW on the south side of Parkerville Road to satisfy future dedication of the roadway. On July 5, 2018, a notice for this public hearing appeared in the Focus Daily Newspaper. Staff also mailed one notification of this public hearing to property owners within 200 feet of the subject site and zoning signs were placed on the property. There were no letters in opposition or in support of item 18. On July 17, 2018, the Planning and Zoning Commission (P&Z) recommended approval of the request. Staff concurred with the P&Z's recommendation. She notified the body the applicant was available to answer questions and provide a presentation of the proposed request.

Mayor Hairston opened the public hearing.

There were no speakers.

MOTION: Councilmember Morris made a motion, seconded by Councilmember Strain-Burk to close the public hearing. The vote was cast 7 for, 0 against.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Morris to approve item 18. The vote was cast 7 for, 0 against.

19. Z18-03 Conduct a Public Hearing and consider an ordinance granting a Specific Use Permit (SUP) request for the entire site located on the southeast corner of Parkerville Road and I-35E Service Road for a Car Wash/Auto Detail use. The property is more particularly described as a tract of land situated in the Charles H. Bernard Survey Abstract No. 430, City of Lancaster, Dallas County, Texas.

City Manager Mauldin-Jones shared item 19 was a request was to consider a Specific Use Permit (SUP) for a 3,397 square feet carwash. Specific Use Permits allowed the consideration of public welfare, operation, location, arrangement, and construction of any use for which a Specific Use Permit is sought. The SUP request for a carwash is a companion item to item 18; the zoning change request from Agricultural Open (A-O) to Commercial Highway (CH) for the same piece of property. Car Wash/Auto Detail use both required and allowed the use only with an SUP in Commercial Highway (CH) zoning district. The SUP would include the entire site. Staff recommended approval of the SUP request subject to the stipulations: No laundromat on the site; Staff approved landscaping as depicted on the landscape plan and renderings; Applicant putting money into an escrow account for the gateway feature at another location within 180 days; after approval of this ordinance for an amount not to exceed \$20,000.00; and No tractor trailer parking on site. The applicant agreed to the staff's stipulations. On July 5, 2018, notice of the public hearing appeared in the Focus Daily Newspaper. Staff mailed notifications of the public hearing to property owners within 200 feet of the subject site and zoning signs were placed on the property. On July 17, 2018, the Planning and Zoning Commission recommended approval of the request contingent upon the stipulation. Staff concurred with the Planning and Zoning's recommendation.

Mayor Pro Tem Mejia spoke in support of item 19 and expressed that the site will not allow tractor trailers.

Mayor Hairston opened the public hearing.

There were no speakers.

MOTION: Councilmember Morris made a motion, seconded by Councilmember Strain-Burk to close the public hearing. The vote was cast 7 for, 0 against.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Morris to approve item

19. The vote was cast 7 for, 0 against.

20. Z18-10 Conduct a Public Hearing and consider an ordinance for a rezoning request from Agricultural Open (AO) to SF-4 Single Family Residential. The property is located north of Stainback Drive and east of Nokomis Road and is addressed as 1542 Raintree Drive. It is further described as Lot 15 in Abstract 765 Survey M.H. Lavender, Lancaster, Dallas County, Texas.

City Manager Mauldin-Jones shared item 20 is to consider an ordinance for a rezoning request from Agricultural Open (AO) to SF-4 Single Family Residential located at 1542 Raintree Drive and is approximately 1.8 acres in size. This property was annexed into the City corporate limits in November 2011. It is required that the annexation areas be zoned to Agricultural Open when incorporated into City limits. The Comprehensive Plan Future Land Use map designated the area as Suburban Neighborhood. The zoning change request is consistent with the Comprehensive Plan. She shared though the proposed zoning change may appeared to differ from the surrounding zoning; City Attorney Ritter stated that if the projected use is consistent with the Future Land Use Plan, the requested zoning change would not be considered spot zoning and as noted above, the proposed zoning change is consistent with the Future Land Use Plan of the Comprehensive Plan. The zoning change request in accordance with Texas Local Government Code, Section 211, must be noticed ten (10) days before the hearing. On July 22, 2018 a notice for this public hearing appeared in the Focus Daily Newspaper. Staff mailed notifications of the public hearing to 19 property owners within 200 feet of the subject site. There were no letters received in support or in opposition to the request. On August 7, 2018 the Planning and Zoning Commission recommended approval of the rezoning request and Staff concurred with the recommendation.

Mayor Hairston opened the public hearing.

There were no speakers.

MOTION: Councilmember Morris made a motion, seconded by Councilmember Strain-Burk to close the public hearing. The vote was cast 7 for, 0 against.

Mayor Pro Tem Mejia expressed his support of item 20 as the request is for one (1) lot and matching the existing use.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Morris to approve item 20. The vote was cast 7 for, 0 against.

21. Z18-09 Conduct a Public Hearing and consider an ordinance granting a Specific Use Permit (SUP) request for in-home daycare at a property addressed as 529 Hearthstone Drive; Lot 8, Block A in Hearthstone Phase Four Subdivision. The property is located within the A. Bledsoe Survey, Abstract No. 113 City of Lancaster, Dallas County, Texas.

City Manager Mauldin-Jones spoke on item 21 is to consider an ordinance requesting a Specific Use Permit (SUP) for an in-home daycare for up to twelve (12) children ranging from 8 months to after-school age children. The in-home daycare just received State license and started operating at the beginning of July 2018. The applicant seeked to bring the business in compliance with the City's required permits. The applicant has a total of two (2) fulltime children and three (3) part-time children in the in-home daycare. On July 22, 2018, a notice for the public hearing appeared in the Focus Daily Newspaper. 36 notifications of the public hearing were mailed to owners that are within 200 feet of the subject property. Staff received one (1) response in support of the SUP request. On August 7, 2018 the Planning and Zoning Commission recommended approval of the SUP to less than six (6) under the age of two and half years old (2 1/2) being kept on the first floor with a level of exit discharge; if more than five (5) children under the age of two and half years old (2 1/2) are kept on the premise, an automatic fire sprinkler system is required; and compliance with Home Occupation Regulations. Staff concurred with the Planning and Zoning Commission.

Mayor Pro Tem Mejia spoke in favor of item 21.

Councilmember Hill spoke in support of in-home daycares; however, she expressed her concerns regarding the movement of traffic.

Mayor Hairston opened the public hearing.

There were no speakers.

MOTION: Councilmember Morris made a motion, seconded by Councilmember Strain-Burk to close the public hearing. The vote was cast 7 for, 0 against.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Morris to approve item 21. The vote was cast 7 for, 0 against.

- 22. Conduct a public hearing and discuss an ordinance regarding the proposed revenue increase from levying ad valorem taxes for fiscal year 2018/2019 at eighty-six and seventy-five one thousandths cents \$0.8675 per one hundred dollars (\$100.00) 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 under the State Truth-in-Taxation law, Local Government Code and the City Charter required that an ordinance levying the ad valorem taxes be read and two (2) public hearings be held. Item 22 is the second and final public hearing regarding the proposed tax rate. A public hearing was conducted on Monday, August 20, 2018 at the City Council Special Meeting to receive comment from the public regarding the proposed tax rate of \$0.8675 per one hundred dollars assessed valuation. There were no speakers. The governing body may not adopt the tax rate at the public hearing. 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 10, 2018 at 7:00 p.m. at Lancaster Municipal Center, City Council Chambers located at 211 North Henry Street.

Mayor Hairston opened the public hearing.

There were no speakers.

MOTION: Councilmember Morris made a motion, seconded by Councilmember Strain-Burk to close the public hearing. The vote was cast 7 for, 0 against.

MOTION: Councilmember Morris made a motion, seconded by Councilmember Strain-Burk to place item 22 for consideration on Monday, September 10, 2018, 7:00 p.m. at the Lancaster Municipal Center, Council Chambers, 211 North Henry, Lancaster, Texas. The vote was cast 7 for, 0 against.

- 23. Conduct a public hearing and discuss an ordinance regarding the proposed fiscal year 2018/2019 budget for the fiscal year beginning October 1, 2018 ending September 30, 2019; providing that expenditures for said fiscal year shall be in accordance with said budget.**

City Manager Mauldin-Jones stated that item 23 under the State Truth-in-Taxation and the City Charter require the City of Lancaster to conduct a public hearing on the proposed annual budget. The proposed total tax rate required to provide revenue for maintenance and operations and interest and sinking fund requirements is \$0.8675 cents per \$100 assessed valuation. The proposed budget was presented to the Lancaster City Council at Work Sessions held on Monday, August 6, 2018, Saturday, August 11, 2018, and a Town Hall Meeting on Thursday, August 16, 2018. The approval of the proposed ordinance will adopt the FY 2018/2019 budget in the amount of \$58,038,645. Staff recommended closing the public hearing and announcing the meeting for consideration be held on Monday, September 10, 2018 at 7:00 p.m. at Lancaster Municipal Center Council Chambers located at 211 North Henry Street, Lancaster, Texas.

Mayor Hairston opened the public hearing.

There were no speakers.

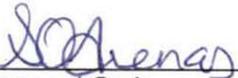
MOTION: Councilmember Morris made a motion, seconded by Councilmember Strain-Burk to close the public hearing. The vote was cast 7 for, 0 against.

MOTION: Councilmember Morris made a motion, seconded by Councilmember Strain-Burk to place item 23 for consideration on Monday, September 10, 2018, 7:00 p.m. at the Lancaster Municipal Center, Council Chambers, 211 North Henry, Lancaster, Texas. The vote was cast 7 for, 0 against.

MOTION: Councilmember Morris made a motion, seconded by Mayor Pro Tem Mejia to adjourn. The vote was cast 7 for, 0 against.

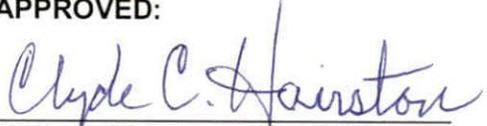
The meeting was adjourned at 9:39 p.m.

ATTEST:



Sorangel O. Arenas, City Secretary

APPROVED:



Clyde C. Hairston, Mayor