

## MINUTES

## LANCASTER CITY COUNCIL REGULAR MEETING OF JANUARY 14, 2019

The City Council of the City of Lancaster, Texas, met in a called Regular Session in the Council Chambers of City Hall on January 14, 2019 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 (Items 1-10)

**City Staff Present:**

Opal Mauldin-Jones, City Manager  
Rona Stringfellow, Deputy City Manager  
Fabrice Kabona, Assistant City Manager  
Baron Sauls, Finance Director  
Kenneth Johnson, Fire Chief  
Shane Shepard, Director of Economic Development  
Charley Miller, Assistant Police Chief  
Jermaine Sapp, Director of Equipment Services and Facilities  
Andrew Waits, Interim Assistant Public Works Director  
Bester Munyaradzi, Senior Planner  
Katherine Hail, Animal Control Officer  
Than Nguyen, City Engineer  
Kellen Benbrook, Airport Manager  
Delajer Walker, E.C. & E.M. Superintendent  
Jasmine Carr, Community Programs Coordinator  
David T. Ritter, City Attorney  
Sorangel O. Arenas, City Secretary

**Call to Order:**

Mayor Hairston called the meeting to order at 7:01 p.m. on January 14, 2019.

**Invocation:**

Co-Pastor Katrina Potts gave the invocation.

**Pledge of Allegiance:**

Councilmember Morris led the pledge of allegiance.

**Citizens' Comments:**

Neil Terasoff, 322 S. Houston School Road, expressed his concerns on the construction of a new City Hall, the conditions of the Animal Shelter Facility, and the maintenance of the City's streets and roads.

Miracle Bennett, 162 Southwood, expressed similar concerns as Mr. Terasoff. Also, she expressed staffing concerns of the Police Department.

Lee Schmitt, 844 E. Beltline Road, expressed his financial concerns on the proposed

construction of a new City Hall and similar concerns as the previous residents.

Walter Weaver, 411 S. Centre, voiced his commitment to the City and conveyed his opposition of the construction of a new City Hall as well as the conditions of the City's streets.

Frank Mejia, 1500 W. Main Street, expressed similar concerns as the previous residence.

Evelin DeLoSantos, 205 Creekwood Drive, stated similar concerns regarding new City Hall, streets and roads, and the Animal Shelter Facility.

Stephanie Rippe, 1708 S. Houston School Road, agreed with all comments mentioned and expressed her concerns regarding the City's tax rate.

David Baugher, 1531 W. Main Street, communicated that the City has an excellent education system and appreciation the construction of the new roads.

Jasmine Carr, 211 N. Henry Street, registered to speak but was unavailable when called upon.

#### **Consent Agenda:**

City Secretary Arenas read the consent agenda.

- 1. Consider approval of minutes from the City Council Regular Meeting held on November 12, 2018.**
- 2. 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 fifty thousand dollars (\$50,000.00) at the Lancaster Regional Airport.**
- 3. Consider a resolution approving the terms and conditions of an interlocal agreement by and between the City of Lancaster and the North Central Texas Council of Governments (NCTCOG) for the purpose of actuarial services.**
- 4. Consider a resolution adopting the Economic Development Strategic Plan.**
- 5. Consider a resolution authorizing Dallas County to resell 2726 Cedardale Road, 3210 Houston School Road, 3212 Houston School Road, 4152 Portwood Drive, 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.**
- 6. Consider a resolution authorizing Dallas County to resell 1204 South Houston School Road (struck off to Dallas County), tax foreclosed property, by public or private sell, to the highest qualified purchaser, as provided by Section 34.05 of the Texas Property Tax Code.**
- 7. Consider a resolution approving the terms and conditions of a professional service agreement with Dunaway Associates to update the Parks, Recreation and Open Space Master Plan for an amount not to exceed one hundred two thousand seven hundred seventy-five dollars (\$102,775).**

8. **Consider a resolution approving the terms and conditions of an agreement with Halff Associates to update the 2006 Streetscape Master Plan, authorizing the City Manager to sign a professional services agreement in an amount not to exceed eighty thousand dollars (\$80,000).**

**MOTION:** Councilmember Morris made a motion, seconded by Councilmember Strain-Burk to approve consent items 1 through 8. The vote was cast 7 for, 0 against

9. **The City Council shall convene into closed executive session pursuant to:**
  - a. **Section §551.072, Texas Gov't Code to deliberate the purchase, exchange, lease, or value of real property on the position of the governmental body in negotiations with a third person and**
  - b. **Section §551.071(1)(A) to receive information on the following: (1) pending or contemplated litigation matter regarding comprehensive plan amendment and/or zoning; and (2) substandard property litigation regarding real property on Reindeer Road.**
10. **Reconvene into open session. Consider and take appropriate action(s), if any, on closed/executive session matters.**

The City Council recessed for Executive Session at 7:28 p.m. and reconvened into open session at 9:00 p.m.

11. **Z17-11 Conduct a Public Hearing and consider a rezoning request for remaining portions of the property located approximately 1,200 feet east of I-35E and 200 feet south of I-20 Frontage Road from SF-6 Single Family Residential to Light Industrial (LI). The properties consist of a portion of Oak Farms Boulevard, and the Slope and Grading Easement along Patman Drive, Brantley Drive and Eaton Avenue within the Daniieldale Resubdivision, being recorded in Volume 35, Page 213, Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones spoke on item 11 to conduct a Public Hearing and consider a rezoning request from SF-6 Single Family Residential to Light Industrial (LI). The property is located on the east side of Oak Farms Boulevard and is approximately 200 feet south of I-20 Frontage Road. She mentioned that the property is approximately 3 acres in size. On March 26, 2018, the City Council approved the request to rezone 21.43 acres of the Daniieldale Subdivision from SF-6 to LI. The slope and grading easement and Oak Farms Boulevard were not rezoned with the rest of the property as they were pending abandonment. On November 12, 2018, City Council approved the request to abandon the slope and grading easement and a portion of Eaton Avenue. On December 4, 2018, the Planning and Zoning Commission recommended approval and staff concurs with the request. On November 21, 2018, a notice for this public hearing appeared in the Focus Daily Newspaper. Twenty-nine (29) notifications were mailed to owners that were within 200 feet of the subject property and a zoning sign was placed on the property. There were no letters received in support or opposition of item 11.

Mayor Hairston opened the public hearing.

Thomas Hillsman, representing the applicant, 6519 Westgate Drive, Dallas, Texas, spoke in favor of item 11.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Mejia to close the public hearing. The vote was cast 6 for, 0 against [Morris absent].

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Mejia to approve item 11. The vote was cast 6 for, 0 against [Morris absent].

- 12. Z18-17 Conduct a public hearing and consider a Specific Use Permit (SUP) request for an in-home daycare at the property addressed as 1101 Oakbluff Drive; Lot 18 Block 15 in the Meadow Creek Estates Subdivision. The property is located within the Bledsoe Survey, Abstract 113 City of Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones spoke on item 12 and shared that the Lancaster Development Code (LDC) requires in-home day cares to obtain a Specific Use Permit (SUP) in all Residential zoning districts. On November 21, 2018 a notice for this public hearing appeared in the Focus Daily Newspaper. Sixteen (16) notifications of this public hearing were mailed to owners that are within 200 feet of the subject property and a zoning sign was placed on the property. One (1) letter was received in support of this request and no letters received in opposition of this request. On December 4, 2018 the Planning and Zoning Commission recommended approval of the request with the following conditions: 1) Less than six (6) children under the age of two and half years old (2 1/2) being kept on the first floor with a level of exit discharge. 2) 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. 3) Compliance with Home Occupation Regulations. 4) Confirmation by Animal Services that all animals kept on-site meet state and local regulations regarding immunizations and microchipping. Staff concurs with the Planning and Zoning Commission.

Mayor Hairston opened the public hearing.

There were no speakers.

**MOTION:** Deputy Mayor Pro Tem Jaglowski made a motion, seconded by Councilmember Strain-Burk to close the public hearing. The vote was cast 6 for, 0 against [Morris absent].

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Councilmember Hill to approve item 12. The vote was cast 6 for, 0 against [Morris absent].

- 13. Z18-18 Conduct a public hearing and consider a Specific Use Permit (SUP) request for an in-home daycare at a property addressed as 1230 River Oaks Circle; Lot 2 Block 2 in Pleasant Run Estates Subdivision. The property is located within the City of Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones spoke on item 13 and shared that the Lancaster Development

Code (LDC) requires in-home day cares to obtain a Specific Use Permit (SUP) in all Residential zoning districts. This is a request for an in-home daycare for up to (twelve) 12 children. The in-home daycare has been designated as a Listed Home by the State and in operation since 2013. On November 21, 2018 a notice for this public hearing appeared in the Focus Daily Newspaper. Fifteen (15) notifications of this public hearing were mailed to owners that are within 200 feet of the subject property. There were two (2) letters received in support of this request and one (1) letter received neither in opposition or support of item 13. On December 4, 2018 the Planning and Zoning Commission recommended approval of the request with the following conditions: 1) Less than six (6) children under the age of two and half years old (2 1/2) being kept on the first floor with a level of exit discharge. 2) 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. 3) Compliance with Home Occupation Regulations. 4) Confirmation by Animal Services that all animals kept on-site meets state and local regulations regarding immunizations and microchipping. Staff concurs with the Planning and Zoning Commission.

Mayor Hairston opened the public hearing.

There were no speakers.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to close the public hearing. The vote was cast 6 for, 0 against [Morris absent].

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

- 14. Z18-19 Conduct a public hearing and consider a Specific Use Permit (SUP) request for in-home daycare at a property addressed as 1513 Honey Bee Lane; Lot 28, Block D in the Meadowview Phase Two Subdivision. The property is located within the J.L. Samson Survey, Abstract No. 1311 within the City of Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones spoke on item 14 and shared that the Lancaster Development Code (LDC) requires in-home day cares to obtain a Specific Use Permit (SUP) addressed at 1513 Honey Bee Lane. On November 21, 2018 a notice for this public hearing appeared in the Focus Daily Newspaper. Twenty-nine (29) notifications were mailed to owners that are within 200 feet of the subject property and a zoning sign was placed on the property. There were two (2) letters received in support of this request and no letters received in opposition of this request. On December 4, 2018 the Planning and Zoning Commission, recommended approval of the request with the following conditions: 1) Less than six (6) children under the age of two and half years old (2 1/2) being kept on the first floor with a level of exit discharge. 2) 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. 3) Compliance with Home Occupation Regulations. 4) Confirmation by Animal Services that all animals kept on-site meets state and local regulations regarding immunizations and microchipping. Staff concurs with the Planning and Zoning Commission.

Mayor Hairston opened the public hearing.

There were no speakers.

**MOTION:** Councilmember Hill made a motion, seconded by Councilmember Strain-Burk to close the public hearing. The vote was cast 6 for, 0 against [Morris absent].

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

15. **M19-03 Discuss and consider a resolution accepting five (5) water line easements (an 18,320 square feet or .4206 acre water easement, a 513 square feet or .0118 acre water easement, a 445 square feet or .01 acre water easement, a 444 square feet or .01 square feet water easement and an 18,347 square feet or .421 acre water easement) from CSHV 20/35, LLC, Grantor, to the City of Lancaster for the installation, construction, operation, maintenance, replacement, repair, upgrade and/or removal of a waterline and all necessary or desirable structures, facilities and appurtenances necessary to provide a secondary and separate connection to the City water system; establishing conditions, providing for the furnishing of certified copy of this resolution for recording in the property records of Dallas County, Texas as a deed.**

City Manager Mauldin-Jones spoke on item 15 and mentioned that the five (5) water line easements to serve Lot 10, Block 1 for Park 20/35. The property to be served by these lines consists of 14.73 acres and is located north of Cedardale Road and approximately 1,080 feet south of Daniieldale Road. The Water and Waste Water Superintendent verified that the proposed location of the water easements is acceptable. Staff recommended approval of the item 15.

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

16. **Consider a resolution approving the terms and conditions of an amendment to the contract with Tiseo Paving Company in an amount not to exceed seventy-six thousand five hundred forty-eight dollars and twenty-one cents (\$76,548.21).**

City Manager Mauldin-Jones spoke on item 16 and shared that City Council approved resolution 2015-12-94 authorizing a contract with Tiseo Paving Company on December 14, 2015 for the reconstruction and water/wastewater improvements to Daniieldale Road. This roadway project is substantially complete. This amendment is needed to finalize the construction contract as the agreement was not to exceed five million two hundred ninety-nine thousand three hundred ninety-four dollars and fifteen cents (\$5,299,394.15). There was a water line not reflected on plans and an abandoned water line that contained asbestos and required removal to allow for the new storm drainage line to be installed in the same alignment. This resulted in a net seventy-six thousand five hundred forty-eight dollars and twenty-one cents (\$76,548.21) increase to the project budget. The amendment result is available in the project fund.

Councilmember Strain-Burk expressed that the City is taking necessary measures to improve our roadways.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve item 16. The vote was cast 6 for, 0 against [Morris absent].

- 17. **Discuss and consider an ordinance amending the Water and Wastewater Fund and Sanitation Fund budgets for Fiscal Year 2017-2018 adopted by Ordinance No. 2017-09-45.**

City Manager Mauldin-Jones spoke on item 17 is to consider approval of an ordinance to amend various operating fund budgets for Fiscal Year 2017-2018. There was an increase in revenues in Water and Wastewater Fund and Sanitation Fund in the total amount of \$1,573,455.00 and expenditures are being increased by the same amount with no impact on the fund balance.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Councilmember Hill to approve item 17. The vote was cast 6 for, 0 against [Morris absent].

- 18. **Consider confirmation of Civil Service Commission appointment as designated by the City Manager.**
- 19. **Consider confirmation of nominations made by the Mayor for appointments to the City of Lancaster's Zoning Board of Adjustment.**
- 20. **Discuss and consider annual appointments to City of Lancaster Boards and Commissions.**

Mayor Hairston spoke on items 18 through 20 and stated that we do not have the full governing body and it has been practice to ensure as it relates to boards and commissions appointments. He suggested considering tabling those items to the upcoming Regular Meeting held on February 11, 2019.

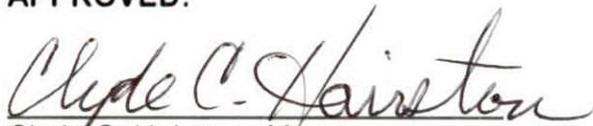
**MOTION:** Councilmember Strain-Burk made a motion, seconded by Councilmember Hill to adjourn. The vote was cast 6 for, 0 against [Morris absent].

The meeting was adjourned at 9:27 p.m.

**ATTEST:**

  
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Sorangel O. Arenas, City Secretary

**APPROVED:**

  
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Clyde C. Hairston, Mayor