

MINUTES

LANCASTER CITY COUNCIL REGULAR MEETING OF MARCH 25, 2019

The City Council of the City of Lancaster, Texas, met in a called Regular Session in the Council Chambers of City Hall on March 25, 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

City Staff Present:

Opal Mauldin-Jones, City Manager
 Rona Stringfellow, Deputy City Manager
 Fabrice Kabona, Assistant City Manager
 Dori Lee, Director of Human Resources
 Sean Johnson, Director of Quality of Life and Cultural Services
 Shane Shepard, Director of Economic Development
 Sam Urbanski, Police Chief
 Jason Boulton, Assistant Police Chief
 Kenneth Johnson, Fire Chief
 Chris Youngman, Assistant Fire Chief
 Jermaine Sapp, Director of Equipment Services and Facilities
 Andrew Waits, Interim Assistant Public Works Director
 Sharon Jungman, Assistant Finance Director
 Katherine Hail, Animal Control Officer
 Jasmine Carr, Community Programs Coordinator
 Delajer Walker, E.C. & E.M. 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 March 25, 2019.

Invocation:

Pastor Urban Brown gave the invocation.

Pledge of Allegiance:

Deputy Mayor Pro Tem Stanley Jaglowski led the pledge of allegiance

Recognition:

Lancaster Independent School District - The Lady Tigers Varsity Basketball Team, Lady Tigers Varsity Volleyball Team, The Lady Tigers Junior Varsity Basketball Team and Shakiya Scott of Lady Tiger Wrestling Team.

Proclamation:

Mayor Hairston read proclamation for "Kidney Awareness Day" and encourage all citizens to raise awareness concerning crucial health issues, such as chronic kidney disease, and to seek early screening.

Mayor Hairston read proclamation for "National Public Safety Telecommunications' Week" and urges everyone in our community to celebrate and honor the men and women whose diligence and professionalism keep our city and citizens safe.

Citizens' Comments:

Miracle Bennett, 162 Southwood, expressed her concerns on the conditions of the Animal Shelter Facility.

Carolyn Morris, 887 Wintergreen, expressed her support for Kidney Awareness. She shared her gratitude to Councilmember Morris.

Executive Session:

1. City Council shall convene into closed executive session pursuant to:
 1. Section §551.071 of the Texas Government Code to seek legal advice from the City Attorney concerning pending or contemplated litigation: White Rock Commercial LLC v. City of Lancaster, Cause No. DC-14-06471 and
 2. Sections §552.071(1) and (2) and 552.076(1) of the Texas Government Code.
2. 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 7:30 p.m. and reconvened into open session at 8:11p.m.

Consent Agenda:

City Secretary Arenas read the consent agenda.

3. Consider approval of minutes from the City Council Special Meeting held on December 17, 2018.
4. Consider a resolution approving the terms and conditions of an agreement by and between the City of Lancaster and American Signal Corporation for the provision of emergency mass notification solutions.
5. Consider an ordinance amending Article 13.00 Emergency Water System Situations Section 13.06 Water Conservation and Drought Contingency and Emergency Response Plan.
6. Consider a resolution approving the terms and conditions of a professional services agreement with Lockwood, Andrews & Newman, Inc. (LAN) to perform services in connection with the extension of Millbrook Drive & Bridle Path Drive.
7. Consider a resolution approving the terms and conditions of a lease agreement with TCF Equipment Finance for the lease of equipment from Professional Turf Products, L.P. for golf course equipment through an Interlocal Agreement with BuyBoard.
8. Consider a resolution approving the terms and conditions of an agreement between the City of Lancaster and IChoosr, LLC for the provision of energy group purchasing services to the citizens of the City.
9. Consider an ordinance approving a continuing disclosure agreement between the City of Lancaster and the Trinity River Authority of Texas, entering into contracts relating to the provision of facilities and/or services by the issuer supported by payments to be made by the City of Lancaster pursuant to such contracts.

10. Consider a resolution amending the Master Fee Schedule, Article 17.000 – Development Fees to provide for an inspection and annual registration fees for “Short-term Rentals” (such as a Bed and Breakfast Inn).
11. Consider a resolution declaring an unopposed candidate in District 3 in the May 4, 2019 general municipal election elected to office; canceling the election in single member District 3; providing for all other provisions of Resolution No. 2019-02-10, as amended, ordering the election to remain in full force and effect.

Councilmember Morris pulled item 8.

Mayor Pro Tem Mejia pulled item 11.

MOTION: Councilmember Morris made a motion, seconded by Councilmember Strain-Burk to approve items 1 through 11 excluding item 8 and 11. The vote was cast 7 for, 0 against.

8. Consider a resolution approving the terms and conditions of an agreement between the City of Lancaster and iChoosr, LLC for the provision of energy group purchasing services to the citizens of the City.

Councilmember Morris shared that iChoosr, LLC and how it is a free service which assists citizens in choosing an electricity company based upon certain criteria which is part of the IChoosr program.

11. Consider a resolution declaring an unopposed candidate in District 3 in the May 4, 2019 general municipal election elected to office; canceling the election in single member District 3; providing for all other provisions of Resolution No. 2019-02-10, as amended, ordering the election to remain in full force and effect.

Mayor Pro Tem Mejia shared his gratitude to the constituents of District 3 for allowing him to serve three (3) more years.

MOTION: Councilmember Morris made a motion, seconded by Councilmember Strain-Burk to approve item 8 and 11. The vote was cast 6 for, 1 against [Mejia].

12. Z19-01 Conduct a public hearing and consider a Specific Use Permit (SUP) request for Lancaster Park 5th Subdivision. The property is located within the Bledsoe Survey, Abstract 113 City of Lancaster, Dallas County, Texas.

City Manager Mauldin-Jones explained this was a request for a rezoning for an in-home daycare for up to twelve children between the ages of 1 and 12. She advised the Council this type of use is only available via an SUP. City Manager Mauldin-Jones detailed the procedural steps required in chapter 211 of the Texas Zoning and Enabling Act which were followed and complied with in terms of notice, posting and the planning and zoning commission.

Mayor Hairston opened the public hearing.

There were no speakers.

MOTION: Councilmember Morris made a motion, seconded by Deputy Mayor Pro Tem to close the public hearing. The vote was cast 7 for, 0 against.

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

13. **Z19-02 Conduct a public hearing and consider a Specific Use Permit (SUP) request for in-home daycare at a property addressed as 1265 Spring Water Drive; Lot 13 Block G in Meadowview Phase Three Subdivision. The property is located within the J.L. Samson Survey, Abstract No. 1311 City of Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones explained this was a request for a rezoning for an in-home daycare for up to twelve children between the ages of three months to and 13. She advised the Council this type of use is only available via an SUP. Further, the home was inspected for compliance with home occupation regulations, incidental uses and traffic effect. City Manager Mauldin-Jones detailed the recommendations of the planning and zoning conditions. Staff received two letter in favor and no letter in opposition of item 13.

Mayor Hairston opened the public hearing.

There were no speakers.

MOTION: Councilmember Morris made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to close the public hearing. The vote was cast 7 for, 0 against.

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. **Z19-04 Conduct a public hearing and consider a Specific Use Permit (SUP) request for in-home daycare at a property addressed as 1848 Apollo Lane; Lot 25, Block F in Pleasant Run Estates Phase 1A Subdivision. The property is located within the William Fleming Survey, Abstract 466 City of Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones explained item 14 is a request for a rezoning for an in-home daycare for up to twelve children between the ages 11 months of age to 4 and has 11 children in the home. Further, the home was inspected for compliance with home occupation regulations, incidental uses and traffic effect. She advised the Council this type of use is only available via an SUP. City Manager Mauldin-Jones detailed the recommendations of the planning and zoning commission.

Mayor Hairston opened the public hearing.

Rebecca Jones, 1407 Pegasus Street, spoke in opposition of the zoning change. She based her opposition on the deed restrictions contained in her deed. She stated a use allowing for a day care can reduce her property values between 5-11%. She also conveyed a concern about the noise created/caused by the children, as well as how the parking created by a day care causes a problem.

Angela Van, 1848 Apollo Lane, spoke in favor of the zoning change. She is the operator of the day care business. She has been in operation of the business for 5 years. Ms. Van detailed the intricacies of her business such as parking, pick up/drop off times. She discussed traffic as a concern from several others in the neighborhood, her hours of operation and her licensure.

Donell Evans, 907 Greenridge Dr. spoke in opposition to the zoning change request due to the heavy traffic.

Carolyn Morris, 887 Wintergreen, spoke to the dangers inherent to a day care. She was especially concerned about the potential danger to children.

Belinda Tucker, 1827 Athena Drive, spoke in opposition to the day care. Her biggest concern was how bad traffic was in her neighborhood as a result of the day care.

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

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Mejia to table item 14 to bring back at the next regular meeting in April. No vote was cast.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Mejia to call the question. The vote was cast 6 for, 1 against [Robinson].

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Mejia to table item 14 to bring back at the next Regular Meeting in April. The vote was cast 2 for, 5 against [Jaglowksi, Robinson, Hill, Morris, Hairston]. Motion Failed.

MOTION: DMPT Jaglowksi made a motion, seconded by Councilmember Strain-Burk to approve item 14. The vote was cast 6 for, 1 against [Mejia].

15. **Z19-06 Conduct a public hearing and consider a rezoning request from Agricultural Open (AO) to SF-4 Single Family Residential. The property is located north of East Reindeer Road and east of Dasher Drive and is addressed as 3315 Prancer Street. It is further described as Lot 10, Block 2 in Abstract 1554 Survey Money Weatherford, Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones explained this was a request for a rezoning for allowing the owner to build a dwelling on the premises. Mauldin-Jones detailed the procedural steps required in chapter 211 of the Texas Zoning and Enabling Act which were followed and complied with in terms of notice, posting and the planning and zoning commission. She further informed Council the planning and zoning commission had no recommendations other than approval as presented to allow the property to construct a dwelling on the premises. Staff received one letter in favor and one letter in opposition of item 15.

Mayor Hairston opened the public hearing.

There were no speakers.

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

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

16. **Z19-07 Conduct a public hearing and consider a rezoning request from Agricultural Open (AO) to SF-4 Single Family Residential. The property is located north of East Reindeer Road and east of Dasher Drive and is addressed as 3223 Prancer Street. It is further described as Lot 8, Block 2 in Abstract 1554 Survey Money Weatherford, Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones ask to postpone due to the need to re-notice pursuant to State law.

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

17. **Z19-03 Conduct a public hearing and consider an amendment to an existing Planned Development District No. 26 (PD-26) and as amended to allow modifications to the design**

criteria for Phase 3 of the Rolling Meadows subdivision. The property is located north of Belt Line Road and east of Rolling Hills Place and is approximately 21.14 acres in size. The property is more particularly described as property located in the Valentine Wampler Survey, Abstract No. 1546, G.K. Sneed Survey, Abstract No. 1278 and J.M. Rawlins Survey, Abstract No. 1208 in the City of Lancaster, Dallas County, Texas.

City Manager Mauldin-Jones advised Council item 17 is a request to amend PD-26, which is beginning Phase 3. The comprehensive plan recognizes this use as compatible with, and to, the overall plan. The applicant wants to reduce the density by 30% to align with the SF-4 zoning. They are requesting a minimum lot size change from 5000 sf to a minimum of 6500 as a change of setbacks on the front and rear, as well as a waiver of the 20' parking garage. Mauldin-Jones also detailed all the steps taken by the City to comply with the Texas Zoning and Enabling Act in regards to notice, mailings and hearings. She further advised Council of the planning and zoning commission's recommendation and amendments. Staff received three letter in favor and four letter in opposition of item 17.

Mayor Hairston opened the public hearing.

Jim Brown, 750 Hillcrest Plaza Drive, requested Council to make exceptions. There was discussion regarding the exception.

City Attorney Ritter, suggested to Council to receive the exceptions in writing.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Hill to close the public hearing. The vote was cast 6 for, 1 against. [Jaglowksi]

MOTION: Councilmember Morris made a motion, seconded by Councilmember Hill to table item 17. The vote was cast 5 for, 2 against. [Strain-Burk, Jaglowksi]

18. Discuss and consider a resolution accepting the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2018.

David Coleman, BKD advised they are still in the process of completing the audit which would hopefully be completed soon.

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

19. Discuss and consider a resolution accepting the 2018 Racial Profiling Analysis Annual Report.

Police Chief Urbanski advised the racial profiling report showed the City is in compliance with all Racial profiling laws and was performed by UNT.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Morris to approve item 19. The vote was cast 7 for, 0 against.

20. Discuss and consider an ordinance, establishing Civil Service classifications within Police and Fire Departments; prescribing the number of positions in each classification.

City Manager Mauldin-Jones advised this is a request to amend the civil service classification to remove the position of Fire Marshal as the City has no one to meet the requirements or desire to meet the requirements of Fire Marshal.

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

- 21. **Discuss and consider confirmation of nominations made by the Planning and Zoning Commission for appointment to the Lancaster Historic Landmark Preservation Committee.**

City Manager Mauldin-Jones stated staff is requesting reappointment Dee Hinkle, Patricia Siegfried-Giles and Mary Gwen to the Lancaster Historic Landmark Preservation Committee. Mauldin-Jones further advised Council the nominations are all qualified.

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

- 22. **Discuss and consider declaring a certain board, commission or committee position(s) vacant due to excessive absences.**

City Secretary Arenas advised Council there was a violation due to excessive absences and in compliance with the City ordinance and brought forth item 22 for City Council attention.

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve item 22. The vote was cast 7 for, 0 against.

- 23. **Discuss and consider appointment(s) to the Animal Shelter Advisory Board and Property Standards and Appeals Board.**

City Secretary Arenas advised Council there are two (2) vacancies due to resignations. City Secretary Arenas advised Jonathan Harris is qualified to serve on the Animal Shelter Advisory Board.

MOTION: Deputy Mayor Pro Tem Jaglowski made a motion, seconded by Councilmember Strain-Burk to appoint Jonathan Harris to the Animal Shelter Advisory Board. The vote was cast 7 for, 0 against.

Council discussed nominations for the Property Standards and Appeals Board.

MOTION: Deputy Mayor Pro Tem Jaglowski made a motion, seconded by Councilmember Strain-Burk to appoint Tedrick Woods to Property Standards and Appeals Board. The vote was cast 7 for, 0 against.

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

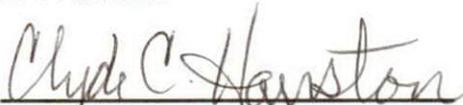
The meeting was adjourned at 11:01 p.m.

ATTEST:



Sorangel O. Arenas, City Secretary

APPROVED:



Clyde C. Hairston, Mayor