

MINUTES

LANCASTER CITY COUNCIL REGULAR MEETING OF FEBRUARY 24, 2020

The City Council of the City of Lancaster, Texas, met in a called Regular Meeting in the Council Chambers of City Hall on February 24, 2020, at 7:00 p.m. with a quorum present to-wit:

Councilmembers Present:

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

City Staff Present:

Opal Mauldin-Jones, City Manager
Fabrice Kabona, Assistant City Manager
Carey Neal, Assistant to the City Manager
Dori Lee, Director of Human Resources
Jermaine Sapp, Equipment and Facilities Services Director
Kenneth Johnson, Fire Chief
Sam Urbanski, Police Chief
Sean Johnson, Director of Quality of Life and Cultural Services
Shane Shepard, Director of Economic Development
Charley Miller, Assistant Police Chief
Jason Boulton, Assistant Police Chief
Delajer Walker, E.C. & E.M. Superintendent
David T. Ritter, City Attorney
Bester Munyaradzi, Senior Planner
Cynthia "Cyndy" Smith, Deputy City Secretary
Sorangel O. Arenas, City Secretary

Call to Order:

Mayor Hairston called the meeting to order at 7:00 p.m. on February 24, 2020.

Invocation:

Pastor John Richardson from Zion Chapel Primitive Baptist Church gave the invocation.

Pledge of Allegiance:

Council Member Nina Morris led the pledge of allegiance.

Citizens Comments:

Doris Allen, 1003 Randlett St., shared neighborhood concerns.
Ellen Clark, 954 Nokomis Rd., shared her concerns with the City of Lancaster and Lancaster Independent School District (LISD).

Consent Agenda:

City Secretary Arenas read the consent agenda.

1. Consider approval of minutes from the City Council Special Meeting held January 25, 2020.
2. Consider a resolution authorizing Dallas County to resell 1608 Enchanted Lane, 2526 Everton Drive, 618 North Dallas Avenue, 1105 South Lancaster Hutchins Road, and 800 Truman Circle 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.

3. Consider a resolution authorizing the award of RFP 2018-70 to Tetra Tech (primary contractor) True North Emergency Management (secondary contractor) and Debris Tech (tertiary contractor) for Disaster Debris Monitoring and Consulting Services.
4. Consider a resolution authorizing the award of RFP 2018-72 to Crowder Gulf LLC (primary contractor), CERES Environmental Services INC. (secondary contractor) and DRC Emergency Services (tertiary contractor) for Disaster Debris Removal, Reduction and Disposal Services.

MOTION: Councilmember Morris made a motion, seconded by Councilmember Jaglowski to approve consent items 1 through 4. The vote was cast 7 for, 0 against.

City Attorney Ritter read Section 551.0712 of the Texas Government Code, which allows Council to seek legal advice during Execution Session. During executive session, item 7 and item 8 will be discussed.

5. The City Council shall convene into closed executive session pursuant to Section §551.071 of the Texas Government Code to seek legal advice from the City Attorney concerning pending or contemplated litigation: Lancaster Terminal Building, TxDOT CSJ No.14TBLANCR.
6. 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 7:19 p.m. and reconvened into open session at 7:57 p.m.

7. Consider a resolution authorizing the City Manager to execute a development agreement with the City of Lancaster and Shepherd Place Homes Inc. relating to building materials for the development of the property located on the west side of North Houston School Road; approximately 1,300 feet north of West Pleasant Run Road and west of North Houston School Road and is addressed as 1747 North Houston School Road. The property is described as being a 31.292-acre tract of land situated in the Merada Park Survey, Abstract No. 1120, in the City of Lancaster, Dallas County, Texas.

City Manager Mauldin-Jones shared the development agreement with Shepherd Place Homes Inc. and the City of Lancaster relating to building materials for the development of the property located on 1747 North Houston School Road. This is a companion item to zoning case Z20-02; a zoning change request from (A-O) Agricultural Open to (PD-SF-4) Planned Development Single Family Residential. The purpose of this development agreement is to ensure the planned development, to be known as Enclave of Lancaster, develops utilizing the building materials for proposed homes as identified in the Lancaster Development Code. On September 1, 2019, the Texas Legislature passed House Bill 2439 which prohibits local governments from enforcing local codes concerning building materials on commercial and residential properties. House Bill 2439 "prohibits a governmental entity from enforcing a rule, charter provision, ordinance, order, building code or other regulation that prohibits or limits, directly or indirectly, the use or installation of a building product or material in the construction, renovation, maintenance, or other alteration of a residential or commercial building if the building product or material is approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building..." The development agreement will show the City of Lancaster and the Developer agree to the use of proposed building materials for the development as depicted on Exhibit B of the Development Agreement.

Councilmembers Strain-Burk, Mejia, Morris, Jaglowski, and Deputy Mayor Pro Tem Robinson commented and discussed differences of the masonry requirements in the development agreement in comparison to the city's development code.

MOTION: Councilmember Strain- Burk made a motion, seconded by Councilmember Mejia to amend item 7, the development agreement, Exhibit B, Item A to match the verbiage of the Lancaster Development Code. The vote was cast 6 for, and 1 against (Morris).

MOTION: Strain-Burk made a motion, seconded by Mayor Pro Tem Hill to table item 7, pending developer's signature on the amended development agreement. The vote was cast 6 for, and 1 against (Morris).

8. **Z20-02 Conduct a public hearing and consider a zoning change from Agricultural Open (AO) to Planned Development Single Family Residential (PD-SF-4) for the property located on the west side of North Houston School Road; approximately 1,300 feet north of West Pleasant Run Road. The property is addressed as 1747 North Houston School Road and described as being a 31.292 acres tract of land situated in the Merada Park Survey, Abstract No. 1120, in the City of Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones shared that this public hearing is for a zoning change from Agricultural Open (AO) to Planned Development Single Family Residential (PD-SF-4). The property is located on the west side of North Houston School Road; approximately 1,300 feet north of West Pleasant Run Road and is addressed as 1747 North Houston School Road and is 31.292 acres in size. The subject property is currently zoned Agricultural Open. The adjacent properties to the North is Agricultural Open (AO) - Occupied residence. To the South is Planned Development - Multi-family (PD-MF-16) and Multi-family (MF-16) - (Rosemont of Lancaster Apartments and Pleasant Run Apartments). To the East is Agricultural Open (AO) - Occupied residence. To the West is Multi-family (MF-16) - Vacant land. The Future Land Use Plan of the Comprehensive Plan identifies this site as suitable for Suburban Neighborhood uses. The request is consistent with the Comprehensive Plan.

Mayor Hairston opened the public hearing.

Pam Baugher, 1531 W. Main St., spoke in opposition to item 8.

Frank Mejia, 1500 W. Main St., spoke in opposition to item 8.

Irene Mejia, 1500 W. Main St., spoke in opposition to item 8.

Carolyn Morris, 887 W. Wintergreen, spoke to item 8.

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

Developer Pat Akins, Directing President, Tack Team Investment, 3076 Aces Lane, Rockwall, provided a presentation.

MOTION: Councilmember Morris made a motion, seconded by Councilmember Mejia to deny the zoning request. The vote was cast 7 for, 0 against.

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

The meeting was adjourned at 8:57 p.m.

ATTEST:


Sorangel O. Arenas, City Secretary

APPROVED:


Clyde C. Hairston, Mayor