

**MINUTES****LANCASTER CITY COUNCIL MEETING OF JANUARY 23, 2012**

The City Council of the City of Lancaster, Texas, met in Regular session in the Council Chambers of City Hall on January 23, 2012 at 7:00 p.m. with a quorum present to-wit:

**Councilmembers Present:**

Mayor Marcus E. Knight  
Walter Weaver  
Stanley Jaglowski  
Marco Mejia  
James Daniels

**Councilmembers Absent:**

Mayor Pro Tem Clyde Hairston  
Deputy Mayor Pro Tem Nina Morris

**City Staff Present:**

Opal Mauldin Robertson, City Manager  
Alicia Oyedele, Assistant to the City Manager  
Dori Lee, Human Resources Director  
Thomas Griffith, Fire Chief  
Larry Flatt, Police Chief  
Sean Johnson, Parks and Recreation Director  
Ed Brady, Economic Development Director  
Rona Stringfellow Govan, Development Services Director  
Clovia English, Public Works Director  
Cami Loucks, Library Director  
Nathaniel Barnett, Senior Planner  
Mark Divita, Airport Manager  
Robert E. Hager, City Attorney  
Dolle Downe, City Secretary

**Call to Order:**

Mayor Knight called the meeting to order at 7:00 p.m. on January 23, 2012.

**Invocation:**

Mayor Knight gave the invocation.

**Pledge of Allegiance:**

Councilmember Weaver led the Pledge of Allegiance.

**Citizens Comments:**

James Adams, 2003 Hash, read definition of word "prohibit" noting "to forbid by authority or law"; stated that the City may not prohibit collection of trash in the annexed area by a private collector or charge a fee; stated that under Section 43.056 (f) (n) and (o), the City cannot push residents into using Allied Waste for trash collection; commented that the residents in the annexed area do not want the service or the associated charge.

James Lewis, 818 Katy Street, commented about the complaints regarding high rates for water service, saying that lawsuits are a major reason for high costs; stated that the City has lost several lawsuits including one in which he was involved and the action taken was illegal; expressed concerns about people attending the 9-man football games who park on the west side along Jefferson Street near the Pump Station saying that someone could be killed crossing the street; provided a petition requesting the City remove No Parking signs from the area and install adequate parking.

**Consent Agenda:**

City Secretary Downe read the consent agenda.

- 1C. **Consider approval of minutes from the City Council Regular Meeting held January 9, 2012.**
- 2C. **Consider an ordinance establishing the boundaries of the City of Lancaster as depicted on the Boundary Map and adopting said map as the Official Boundary Map of the City; providing for the establishment of the extraterritorial jurisdiction of said City based on the boundary of the City.**
- 3C. **Consider Resolution 2012-01-10 approving the terms and conditions of the City owned T-hangar commercial leases from Building 670 at the Lancaster Regional Airport.**

Councilmember Weaver pulled item 2C from the consent agenda.

**MOTION:** Councilmember Mejia made a motion, seconded by Councilmember Jaglowski, to approve consent items 1C and 3C. The vote was cast 5 for, 0 against [Hairston, Morris absent].

Councilmember Weaver asked for a separate vote on consent item 2C.

**MOTION:** Councilmember Mejia made a motion, seconded by Councilmember Weaver, to deny the ordinance establishing City boundaries [item 2C]. The vote was cast 2 for [Weaver, Mejia], 3 against [Jaglowski, Knight, Daniels] [Hairston, Morris absent]. The motion fails.

**MOTION:** Councilmember Daniels made a motion, seconded by Councilmember Jaglowski, to approve the ordinance establishing the boundaries of the City [item 2C]. The vote was cast 3 for [Jaglowski, Knight, Daniels], 2 against [Weaver, Mejia] [Hairston, Morris absent].

4. **Conduct a Public Hearing and consider an ordinance amending the Lancaster Development Code, by amending Article 14.400, Section 14.401 "Land Use Schedule," by amending the Land Use Table; by amending Article 14.400, Section 14.402, "Use Standards," Subsection (b)(3) Bed and Breakfast Operation, providing new locations for bed and breakfast operations to be allowed; by amending Article 14.500, Section 14.505 "Industrial Districts," removing requirements for masonry material on exterior walls for existing structures.**

Senior Planner Barnett gave an overview of the proposed amendments to the Lancaster Development Code which include land uses primarily in the Neighborhood Services zoning district that require an SUP that could be allowed by right; allowing bed and breakfast operations within the Historic Town Square only where residential units are currently allowed; and removal of the requirement for existing buildings in Industrial zoned areas to have masonry facades on walls which are visible from a public street or open space.

Councilmember Mejia commented that these amendments are more business friendly.

Mayor Knight opened the public hearing.

Speaking regarding the proposed amendments to the Lancaster Development Code:

Nancy Moffett, 2105 N. Houston School, commended staff and Council's efforts to rehab existing buildings; asked that Council look at the section of the proposed ordinance regarding industrial buildings, suggesting that language in the proposed ordinance may co-mingle new and existing construction as written and it should be separate; commented that with regard to the car wash use, her experiences as a previous owner of a car wash would indicate that Council may want to think carefully about the car wash use and the different types such as self service versus full service; urged Council to table the amendments and give these points further consideration.

There were no other speakers for or against the proposed amendments.

**MOTION:** Councilmember Weaver made a motion, seconded by Councilmember Mejia, to close the public hearing. The vote was cast 5 for, 0 against [Hairston, Morris absent].

**MOTION:** Councilmember Weaver made a motion, seconded by Councilmember Mejia, to approve an ordinance amending the Lancaster Development Code, by amending Article 14.400, Section 14.401 "Land Use Schedule," by amending the Land Use Table; by amending Article 14.400, Section 14.402, "Use Standards," Subsection (b)(3) Bed and Breakfast Operation, providing new locations for bed and breakfast operations to be allowed; and by amending Article 14.500, Section 14.505 "Industrial Districts," removing requirements for masonry material on exterior walls for existing structures. The vote was cast 5 for, 0 against [Hairston, Morris absent].

5. **Discuss and consider Resolution 2012-01-11 approving the terms and conditions of the Letter Agreement providing for consent of assignment of the Tax Abatement Agreement with CS Lancaster LLC to Duke Realty Limited Partnership; and authorizing the City Manager to execute the Letter Agreement.**

Economic Development Director Brady stated that the City entered into a tax abatement agreement with Seefried Properties (CS Lancaster LLC) in 2009 for their property at West Road and IH-35E. The agreement allows for assignment to other parties. Seefried Properties has sold the property to Duke Realty Partnership and desires to exercise the assignment provision of the agreement. The agreement expires in April 2013 if no construction has commenced on the property.

675

City Council Meeting  
January 23, 2012  
Page 4 of 4

**MOTION:** Councilmember Daniels made a motion, seconded by Councilmember Mejia, to approve Resolution 2012-01-11 approving the terms and conditions of the Letter Agreement providing for consent of assignment of the Tax Abatement Agreement with CS Lancaster LLC to Duke Realty Limited Partnership. The vote was cast 5 for, 0 against [Hairston, Morris absent].

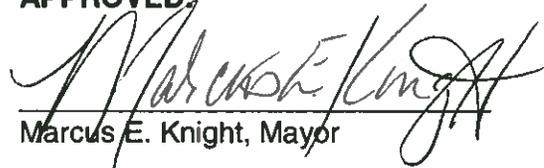
**MOTION:** Councilmember Daniels made a motion, seconded by Councilmember Mejia, to adjourn. The vote was cast 5 for, 0 against [Hairston, Morris absent].

The meeting was adjourned at 7:26 p.m.

**ATTEST:**

  
\_\_\_\_\_  
Dolle K. Downe, City Secretary

**APPROVED:**

  
\_\_\_\_\_  
Marcus E. Knight, Mayor