

MINUTES**LANCASTER CITY COUNCIL MEETING OF FEBRUARY 27, 2012**

The City Council of the City of Lancaster, Texas, met in Regular session in the Council Chambers of City Hall on February 27, 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 [elected Mayor Pro Tem]
Deputy Mayor Pro Tem Nina Morris
Council District 5 vacant

City Staff Present:

Opal Mauldin Robertson, City Manager
Alicia Oyedele, Assistant to the City Manager
Dori Lee, Human Resources Director
Ed Brady, Economic Development Director
Larry Flatt, Police Chief
Thomas Griffith, Fire Chief
Clovie English, Public Works Director
Cami Loucks, Library Director
Mark Divita, Airport Manager
Dolle Downe, City Secretary
Robert E. Hager, City Attorney

Call to Order:

Mayor Knight called the meeting to order at 7:00 p.m. on February 27, 2012.

Invocation:

Mayor Marcus E. Knight gave the invocation.

Pledge of Allegiance:

Councilmember Mejia led the Pledge of Allegiance.

Citizens Comments:

Joe Smith, 2609 Princeton, commented that it is the first Monday he has had off in awhile and he wanted to take the opportunity to compliment the Council and City staff for the sidewalks on Wintergreen Road; stated that it is good for the kids to have a safe place to walk; also commented that the high school basketball play-off game is Tuesday night and encouraged everyone to support the Lancaster team.

James Lewis, 818 Katy Street, commented that bullying is at an all time high and he thinks it is getting worst; said that Council had bullied him when a house was bulldozed against a court order; expressed concerns about people's safety when parking on Jefferson Street and crossing the street to attend 9-man football games, saying he has previously warned the City about this danger; he played a recorded message about his concerns regarding the parking situation on Jefferson.

Consent Agenda:

City Secretary Downe read the consent agenda.

- 1C. Consider approval of minutes from the City Council Regular Meeting held February 13, 2012 and Special Meeting held February 20, 2012.
- 2C. Consider Resolution 2012-02-16 accepting the 2011 Racial Profiling Analysis Annual Report for the Lancaster Police Department.
- 3C. Consider Resolution 2012-02-17 amending the Master Fee Schedule, Article 16.000 Airport Fees, to provide a rate for a community hangar rental.
- 4C. Consider Resolution 2012-02-18 approving the terms and conditions of the Lot 9 Ground Lease at the Lancaster Regional Airport.
- 5C. Consider Resolution 2012-02-19 approving the terms and conditions of the City owned T-hangar non-commercial lease from building 670 at the Lancaster Regional Airport.
- 6C. Consider Resolution 2012-02-20 authorizing the City Manager to extend Stage 2 activation of the City of Lancaster Water Conservation and Drought Contingency and Water Emergency Response Plan by 120 days through June 8, 2012 as required by the Wholesale Treated Water contract between the City of Dallas and the City of Lancaster.
- 7C. Consider Resolution 2012-02-21 ordering a General Election for the election of a mayor at-large and a Special Election for the election of one councilmember for District 5 to fill an unexpired term ending May 2013 to be held on Saturday, May 12, 2012; providing for the publication and posting of notice; and providing for early voting dates, times and locations.

Considere Resolución 2012-02-21 ordenando una elección general para la elección de un alcalde en general y una elección especial para la elección de un miembro del concejo para llenar un término vigente que finaliza en mayo de 2013 para distrito 5 que se celebrará el 12 de mayo de 2012; que contempla la publicación y publicación de la notificación; proveyendo fechas de votación temprana, tiempos y lugares.
- 8C. Consider Resolution 2012-02-22 approving the terms and conditions of a Joint Election Contract and Election Services Agreement with Dallas County Elections to conduct a municipal General Election for the election of a mayor at-large and a Special Election for the election of one councilmember for District 5 to fill an unexpired term to be held on Saturday, May 12, 2012.

Considera Resolución 2012-02-22 aprobando los términos y condiciones de un contrato elección conjunta y contrato elecciones de servicios con el condado de Dallas elección para llevar a cabo una elección general municipal para la elección de un alcalde en general y elección especiales para la elección de un concejal de distrito 5 para llenar un término vigente que se celebrará el sábado, 12 de mayo 2012.

- 9C. Consider Resolution 2012-02-23 approving the terms and conditions of an Interlocal Agreement by and between the City of Lancaster and the County of Dallas to resell tax foreclosed properties struck off to the City of Lancaster as trustee.
- 10C. Consider Resolution 2012-02-24 approving the resale, by the County of Dallas, of five (5) residential tax foreclosed properties struck off to the City of Lancaster.

Councilmember Jaglowski pulled consent item 1C.

MOTION: Councilmember Mejia made a motion, seconded by Councilmember Daniels, to approve consent items 2C - 10C. The vote was cast 6 for, 0 against.

Councilmember Jaglowski noted that in the minutes of the Special Meeting held February 20, 2012, his name had been omitted from the list of councilmembers in attendance and he was present. City Secretary Downe concurred.

MOTION: Councilmember Jaglowski made a motion, seconded by Deputy Mayor Pro Tem Morris, to amend the minutes of the Special Meeting held February 20, 2012 to add his name as present at the Special Meeting and to approve the remainder of the February 20, 2012 minutes as written. The vote was cast 6 for, 0 against.

11. Discuss and consider Resolution 2012-02-25 suspending the March 6, 2012 effective date of Atmos Energy Corp., Mid-Tex Division, requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with Atmos Cities Steering Committee and other cities in the Atmos Mid-Tex service area to hire legal and consulting service and to negotiate with the company and direct any necessary litigation and appeals; and requiring reimbursement of cities' rate case expenses.

City Manager Mauldin Robertson outlined the request to suspend the effective date of the Atmos Mid-Tex requested rate change to allow time for the rate request to be studied by the Atmos Cities Steering Committee.

MOTION: Deputy Mayor Pro Tem Morris made a motion, seconded by Councilmember Mejia, to approve Resolution 2012-02-25 suspending the March 6, 2012 effective date of Atmos Energy Corp., Mid-Tex Division, requested rate change. The vote was cast 6 for, 0 against.

12. **Discuss and consider an ordinance amending the Rolling Meadows Public Improvement District Five Year Service Plan, as adopted by Ordinance No. 2011-08-20, as hereby amended by increasing the Rolling Meadows Public Improvement District Five Year Service Plan for fiscal year 2011/2012 by a total of \$2,988.**

Mayor Knight announced that Councilmember Jaglowski has recused himself from discussion and action on item 12. An Affidavit of Conflict of Interest was filed with the City Secretary prior to the start of the meeting. Councilmember Jaglowski left the Council Chambers.

City Manager Mauldin Robertson stated that the Rolling Meadows Public Improvement District Board voted to hire Vision Communities Management, Inc. as the community's management company resulting in necessary modification to the previously adopted Service Plan. The net result reduces the PID fund balance and requires action by the Council.

MOTION: Deputy Mayor Pro Tem Morris made a motion, seconded by Councilmember Mejia, to approve an ordinance amending the Rolling Meadows Public Improvement District Five Year Service Plan by increasing the Rolling Meadows Public Improvement District Five Year Service Plan for fiscal year 2011/2012 by a total of \$2,988. The vote was cast 5 for, 0 against [Jaglowski recused].

Following the vote, Councilmember Jaglowski returned to his seat in the Council Chambers.

13. **Discuss and consider Resolution 2012-02-26 approving the terms and conditions of an Interlocal Agreement by and between the City of Lancaster and North Central Texas Council of Governments and a certain marketing services agreement with Utility Service Partners Private Label, Inc. doing business as Service Line Warranties of America to license the use of the City of Lancaster trademark in conjunction with advertisement to the City's residents of warranty plans for repair of water and sewer lines on residential property.**

City Manager Mauldin Robertson stated that the Service Line Warranty Program is an option that could be offered to water and sewer customers that would help cover unexpected costs of sewer and water line repairs from a property owner's structure to the City's main; she further noted that it is not a City program, but would allow the use of the City's logo.

Councilmember Mejia commented that this program is an optional insurance program to cover sewer and water line repairs and noted that the City plans to waive the 12% revenue-sharing option and instead reduce citizens' monthly premium costs by 12%.

MOTION: Deputy Mayor Pro Tem Morris made a motion, seconded by Councilmember Mejia, to approve Resolution 2012-02-26 approving the terms and conditions of an Interlocal Agreement with North Central Texas Council of Governments and a marketing services agreement with Utility Service Partners Private Label, Inc. doing business as Service Line Warranties of America to license the use of the City of Lancaster trademark in conjunction with advertisement to the City's residents of warranty plans for repair of water and sewer lines on residential property with a customer monthly premium reduction of 12%. The vote was cast 5 for, 1 against [Daniels].

14. Consider election of a Mayor Pro Tempore.

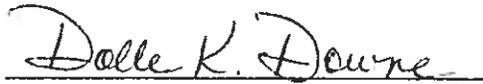
Mayor Knight stated that with Clyde Hairston's resignation, under the City's Home Rule Charter, it is necessary to elect a new Mayor Pro Tem.

Councilmember Weaver nominated Marco Mejia. Councilmember Jaglowski nominated James Daniels. A roll call vote was cast 3 [Jaglowski, Knight, Daniels] for James Daniels, 2 [Weaver, Mejia] for Marco Mejia and 1 abstention [Morris]. James Daniels will serve as Mayor Pro Tempore until elections are made for the Mayor Pro Tempore and Deputy Mayor Pro Tempore positions following the May 12, 2012 municipal election as prescribed by the City's Home Rule Charter.

MOTION: Deputy Mayor Pro Tem Morris made a motion, seconded by Mayor Pro Tem Daniels, to adjourn. The vote was cast 6 for, 0 against.

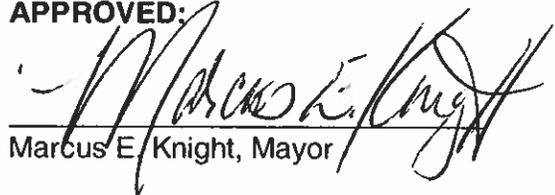
The meeting was adjourned at 7:20 p.m.

ATTEST:



Dolle K. Downe, City Secretary

APPROVED:



Marcus E. Knight, Mayor