

## MINUTES

## LANCASTER CITY COUNCIL MEETING OF JUNE 11, 2012

The City Council of the City of Lancaster, Texas, met in Regular session in the Council Chambers of City Hall on June 11, 2012 at 7:00 p.m. with a quorum present to-wit:

**Councilmembers Present:**

Mayor Marcus E. Knight  
Walter Weaver  
Stanley Jaglowski  
Marco Mejia  
Mayor Pro Tem James Daniels  
LaShonjia Harris

**Councilmembers Absent:**

Deputy Mayor Pro Tem Nina Morris

**City Staff Present:**

Opal Mauldin Robertson, City Manager  
Breanna Colvin, Community Relations Coordinator  
Larry Flatt, Police Chief  
Thomas Griffith, Fire Chief  
Sean Johnson, Parks and Recreation Director  
Sheree Haynes, Finance Director  
Rona Stringfellow Govan, Managing Director Public Works / Development Services  
Shwetha Pandurangi, City Engineer  
Nathaniel Barnett, Senior Planner  
Donald McKinney, Water/Waste Water Superintendent  
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 June 11, 2012.

**Invocation:**

Pastor Urban Brown with Life in Christ Family Church gave the invocation.

**Pledge of Allegiance:**

Councilmember Jaglowski led the pledge of allegiance.

**Citizens Comments:**

Ellen Clark, 954 Nokomis, commented that the weeds in the flower beds along the north side of the building [Historic Town Square] are an embarrassment and she came on a Saturday to work on the landscaping; stated that if the City is going to plant, they should take care of the landscaping as well.

Breanna Colvin, 211 N. Henry Street, invited everyone to attend the upcoming Best Southwest Juneteenth celebration on Saturday, June 16 at the DeSoto Town Center from 1 to 10 p.m. with the concert beginning at 5 p.m.

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Dewayne Hardin, 2622 Arcady Lane, commented that he wanted citizens to know they are being charged more for water if they report a plumbing problem and not to be intimidated by staff working in water billing; stated that he was charged \$2,500; asked Council to help, saying Council is supposed to help the citizens, not intimidate them with excessive charges and cut-off notices; commented that he is collecting signatures for class action for submission to the U.S. Attorney General.

James Lewis, 818 Katy Street, stated that he ran a good race for the mayoral position and congratulated Mayor Knight on his win; offered his hand in peace to work with the Mayor and Council to help people and the City.

David Robison, 420 Red Bud Lane, asked Council to look at the cargo container ordinance saying that it needs to be amended; stated that the containers are very well made and in a backyard with screening, they are good for storage; commented that commercial locations such as Wal-Mart use cargo containers all the time and that he thinks residential uses are a soft target for enforcement; stated he has been ticketed even though the container is not visible; asked Council to amend the ordinance to include a grandfather clause and not make citizens criminal by code enforcement actions.

Kerry McCabe, 206 E. Colonial Drive, asked Council to amend the cargo container ordinance indicating he had been robbed of tools three times, but with the cargo container he can secure and protect tools; stated that the cargo container is painted to match the environment and is a place for a multi-camera security system; urged Council to change the ordinance.

**Consent Agenda:**

City Secretary Downe read the consent agenda.

- 1C. Consider approval of minutes from the City Council Regular Meeting held May 21, 2012.**
- 2C. Consider Resolution 2012-06-44 approving the terms and conditions of the City owned T-hangar non-commercial lease from building 680 at the Lancaster Regional Airport.**
- 3C. Consider Resolution 2012-06-45 approving the terms and conditions of a Local Project Advance Funding Agreement made by and between the State of Texas, acting through the Texas Department of Transportation and the City of Lancaster for the improvements of the bridge on Third Street at Keller Branch.**

Councilmember Mejia pulled item 3C from the consent agenda.

**MOTION:** Councilmember Mejia made a motion, seconded by Councilmember Jaglowski, to approve consent items 1C and 2C. The vote was cast 6 for, 0 against [Morris absent].

Councilmember Mejia commented that the Third Street bridge has been out of service for six to twelve months and that getting it repaired is a good investment in the City's infrastructure, noting that a 90/10 grant through the Texas Department of Transportation means the City can get the work done on a \$340,000 project for \$34,000.

**MOTION:** Councilmember Mejia made a motion, seconded by Councilmember Jaglowski, to approve Resolution 2012-06-45 approving the terms and conditions of a Local Project Advance Funding Agreement made by and between the State of Texas and the City of Lancaster for the improvements of the bridge on Third Street at Keller Branch. The vote was cast 6 for, 0 against [Morris absent].

4. **Conduct a public hearing and consider an ordinance amending the Comprehensive Zoning Ordinance and Map of the City of Lancaster, Texas, as heretofore amended, by granting a change in zoning from Commercial Highway District (CH) to Commercial Highway District - Specific Use Permit (CH-SUP) to grant a Specific Use Permit to allow for a minor automotive repair use on property generally located on the southwest corner of the intersection of Daniieldale Road and Balomede Avenue and more commonly known as 3300 Daniieldale Road and 3359 Balomede Avenue.**

Senior Planner Barnett outlined the request for a Specific Use Permit by the applicant to develop vacant property for a minor auto repair shop to restore damaged bumpers and deliver them to retail outlets, noting that the request is compatible with the City's Comprehensive Plan.

Councilmember Mejia asked how long the building has been vacant. Senior Planner Barnett stated that it has been vacant at least three years.

Mayor Knight opened the public hearing.

Marco Marchan, owner of Bumper World, commented they are looking to expand their business and their existing space is too small to increase production; commented that a water base is used for repair to the bumpers; asked Council to favorably consider their request.

There were no other speakers regarding the request for a Specific Use Permit.

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

Councilmember Mejia stated that this is a great opportunity to bring a business into the City that will occupy a building that has been vacant for three years or more.

**MOTION:** Councilmember Mejia made a motion, seconded by Councilmember Weaver, to approve an ordinance amending the Comprehensive Zoning Ordinance and Map of the City of Lancaster, Texas, by granting a change in zoning from Commercial Highway District (CH) to Commercial Highway District - Specific Use Permit (CH-SUP) to grant a Specific Use Permit to allow for a minor automotive repair use on property generally located on the southwest corner of the intersection of Daniieldale Road and Balomede Avenue. The vote was cast 6 for, 0 against [Morris absent].

5. **Consider Resolution 2012-06-46 approving and authorizing publication of a notice of intention to hold a Public Hearing to receive comments on updates to the City of Lancaster roadway and Water/Wastewater Master Plans and Impact Fees.**

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**MOTION:** Councilmember Weaver made a motion, seconded by Councilmember Jaglowski, to authorize publication of a notice of intention to hold a Public Hearing to receive comments on updates to the City of Lancaster Roadway and Water/Wastewater Master Plans and Impact Fees on July 23, 2012. The vote was cast 6 for, 0 against [Morris absent].

**EXECUTIVE SESSION:**

At 7:29 p.m. Council recessed to go into Executive Session. At 7:34 p.m. the City Council convened into closed Executive Session pursuant to:

6. **The City Council shall convene into closed executive session pursuant to;**
- (A) **Section § 551.071 (1) of the TEXAS GOVERNMENT CODE to consult with the City Attorney to seek legal advice on pending litigation and/or settlement concerning Cause No. 11-10174 Con-Way Truckload, Inc. vs. the City of Lancaster; and**
  - (B) **Section § 551.072 of the TEXAS GOVERNMENT CODE to deliberate the purchase, exchange, lease, or value of real property north of Pleasant Run Road, east of Houston School Road and south of IH-20.**

The City Council recessed from Executive Session at 7:55 p.m. and reconvened into open session at 7:57 p.m.

10. **Reconvene into open session. Consider and take appropriate action(s), if any, on closed/executive session matters.**

Mayor Knight announced that no action was necessary on Executive Session item (A).

**MOTION:** Mayor Pro Tem Daniels made a motion, seconded by Councilmember Mejia, to authorize the City Manager to negotiate a contract for the purchase of approximately 1.245 acres, 0.78 acres for easement and 0.983 acres from Harlan Properties in an amount not to exceed \$90,000 and generally located north of Pleasant Run Road, east of Houston School Road and south of IH-20. The vote was cast 6 for, 0 against [Morris absent].

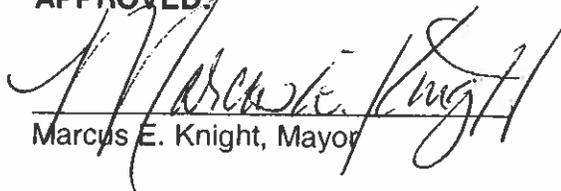
**MOTION:** Mayor Pro Tem Daniels made a motion, seconded by Councilmember Mejia, to adjourn. The vote was cast 6 for, 0 against [Morris absent].

The meeting was adjourned at 7:59 p.m.

**ATTEST:**

  
 Dolle K. Downe, City Secretary

**APPROVED:**

  
 Marcus E. Knight, Mayor