

MINUTES

LANCASTER CITY COUNCIL REGULAR MEETING OF AUGUST 22, 2022

The City Council of the City of Lancaster, Texas, met in a called Regular Meeting in the Council Chambers of City Hall on August 22, 2022, at 7:00 p.m. with a quorum present to-wit:

**Councilmembers Present (City Hall & Zoom):**

Mayor Clyde C. Hairston  
Carol Strain-Burk  
Stanley M. Jaglowski (Zoom)  
Marco Mejia  
Keithsha C. Wheaton  
Deputy Mayor Pro-Tem Mitchell Cheatham  
Mayor Pro-Tem Betty Gooden-Davis

**City Staff Present (City Hall & Zoom):**

Opal Mauldin-Jones, City Manager  
Sorangel O. Arenas, City Secretary  
David T. Ritter, City Attorney  
Andrew Waits, Director of Public Works  
Chris Youngman, Emergency Management Chief  
Carey Neal, Assistant City Manager  
Dori Lee, Director of Human Resources  
Jermaine Sapp, Director of Equipment and Facility Services  
Lisa Wube, Director of Parks and Recreation  
Ray Silva-Reyes, Assistant City Manager  
Sam Urbanski, Police Chief  
Shane Shepard, Director of Economic Development  
Vicki Coleman, Director of Development Services  
Cynthia Smith, Admin & Community Relations Supervisor  
Keturah Barnett, Assistant to the City Manager  
Scott Finley, Communications and Public Relations Coordinator  
Cheryl Womble, Purchasing Agent

**Call to Order:**

Mayor Hairston called the meeting to order at 7:00 p.m. on August 22, 2022.

**Invocation:**

Pastor Richardson, Zion Chapel Primitive Baptist Church gave the invocation.

**Pledge of Allegiance:**

Deputy Mayor Pro-Tem Cheatham led the pledge of allegiance.

**Proclamation:**

Mayor Hairston read the National Payroll Week Proclamation.

**Public Testimony/Citizen's Comments:**

Cary Neal, 211 N. Henry St., shared information regarding upcoming Town Hall meetings and Civic Leadership Academy.

Eddie Thomas, 1558 Illinois Ave., had a question regarding the Boardwalk new addition.

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**Consent Agenda:**

1. Consider a resolution approving the terms and conditions of an interlocal agreement by and between the City of Lancaster and Dallas County Department of Health and Human Services to provide certain food establishment inspections and environmental services.
2. Consider a resolution approving the terms and conditions of an interlocal agreement by and between the City of Lancaster and Dallas County Department of Health and Human Services to provide certain health services.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Gooden-Davis to approve consent items C1 and C2. The vote was cast 7 for, 0 against.

**Public Hearing:**

3. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Beltline Ashmoore Public Improvement District.

Assistant City Manager Neal shared that Beltline Ashmoore is an established subdivision consisting of approximately 19.42 acres generally located on the north side of Beltline Road between Houston School Road and Bluegrove Road. The subdivision has an approved Public Improvement District (PID), established December 13, 2010 to provide for the maintenance of all common areas and entry features. Annually, the PID board in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the "Act") is required to establish and present an updated five (5) year service and assessment plan. Under the Act, the City is required to hold a public hearing on the proposed assessment and service plan details related to the district and the levy of the assessment. The PID board met on August 4, 2022, to discuss and consider the FY 2022/2023 Five-Year Service and Assessment Plan. The Beltline Ashmoore PID is proposing to maintain its annual assessment rate for \$0.1500 per \$100 assessed value. The notice was mailed to the property owners of record on Wednesday, August 10, 2022, and the public hearing notice was posted in the local publication of record on Thursday, August 11, 2022, as required by Local Government Code Chapter 372. Staff recommends City Council conduct and close the public hearing and place the item on the Monday, August 29, 2022, special meeting for consideration.

Mayor Hairston opened the public hearing.

There were no speakers.

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

4. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Boardwalk Public Improvement District.

Assistant City Manager Neal shared that Boardwalk is an established subdivision consisting of approximately 43.237 acres in Phase 1 and 42.486 acres in Phase 2 totaling 85.723 acres generally located on the south side of Cedardale Road and on the east side of Houston School

Road. The subdivision has an approved Public Improvement District (PID), established August 8, 2011 to provide for the maintenance of all common areas and entry features. Annually, the PID board in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the "Act") is required to establish and present an updated five (5) year service and assessment plan. Under the Act, the City is required to hold a public hearing on the proposed assessment and service plan details related to the district and the levy of the assessment. The PID board met on August 5, 2022, to discuss and consider the FY 2022/2023 Five-Year Service and Assessment Plan. The Boardwalk PID is proposing to maintain its annual assessment rate of \$0.2000 per \$100 assessed value. The notice was mailed to the property owners of record on Wednesday, August 10, 2022, and the public hearing notice was posted in the local publication of record on Thursday, August 11, 2022, as required by Local Government Code Chapter 372. Staff recommends City Council conduct and close the public hearing and place the item on the August 29, 2022, special meeting for consideration.

Mayor Hairston opened the public hearing.

There were no speakers.

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

5. **Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Glendover Estates Public Improvement District.**

Assistant City Manager Neal shared that the Glendover Estates is an established subdivision of approximately 29.56 acres generally located south of Pleasant Run Road and west of Houston School Road. The subdivision has an approved Public Improvement District (PID), established September 25, 2006 to provide for the maintenance of all common areas and entry features. Annually, the PID board in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the "Act") is required to establish and present an updated five (5) year service and assessment plan. The PID board met on July 28, 2022, to discuss and consider the FY 2022/2023 Five-Year Service and Assessment Plan. The Glendover Estates PID is proposing to maintain its annual assessment rate of \$0.2400 per \$100 assessed valuation. The notice was mailed to the property owners of record on Wednesday, August 10, 2022, the public hearing notice was posted in the local publication of record on Thursday, August 11, 2022, as required by Local Government Code Chapter 372. Staff recommends City Council conduct and close the public hearing and place the item on the August 29, 2022, special meeting for consideration.

Mayor Hairston opened the public hearing.

There were no speakers.

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

6. **Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Lancaster Mills Public Improvement District.**

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Assistant City Manager Neal shared that the Lancaster Mills is a subdivision of approximately 60.59 acres located north of Beltline Road and east of the Homestead Addition, south of Redbud Drive and west of the Pecan Hollow Estates Addition. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features. As this district is currently undeveloped, the proposed assessment rate is \$0.0000 per \$100 assessed valuation as there are no budgeted expenses for the 2022/2023 fiscal year. The notice was mailed to the property owners of record on Wednesday, August 10, 2022, the public hearing notice was posted in the local publication of record on Thursday, August 11, 2022, as required by Local Government Code Chapter 372. Staff recommends City Council conduct and close the public hearing and place the item on the August 29, 2022, special meeting for consideration.

Mayor Hairston opened the public hearing.

There were no speakers.

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

**7. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Millbrook East Public Improvement District.**

Assistant City Manager Neal shared that the Millbrook East is an established subdivision consisting of approximately 46.265 acres in Phase 1, 17.572 acres in Phase 2A, 13.540 acres in Phase 2B, 17.49 acres in Phase 3A and, 14.94 acres in Phase 3B. Millbrook East is generally located on the south side of Pleasant Run Road, east of Houston School Road and west of Bluegrove Road. The subdivision has an approved Public Improvement District (PID), established August 8, 2011 and expanded on August 26, 2019 to provide for the maintenance of its common areas and entry features. Annually, the PID board in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the "Act") is required to establish and present an updated five (5) year service and assessment plan. The PID board met on August 3, 2022, to discuss and consider the FY 2022/2023 Five-Year Service and Assessment Plan. The Millbrook East PID is proposing to maintain its annual assessment rate of \$0.1100 per \$100 assessed value. The notice was mailed to the property owners of record on Wednesday, August 10, 2022, and the public hearing notice was posted in the local publication of record on Thursday, August 11, 2022, as required by Local Government Code Chapter 372. Staff recommends City Council conduct and close the public hearing and place this item on the August 29, 2022, special meeting for consideration.

Councilmember Strain-Burk asked if the solar lights and playground that was mentioned in the previous approved budget was completed.

Assistant City Manager Neal, clarified that the solar lights were completed in the previous approved budget and that the playground is getting incorporated in this budget.

Mayor Hairston opened the public hearing.

There were no speakers.

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

**8. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Pleasant Run Estates Phase 1-A and Phase 1-B Public Improvement District.**

Assistant City Manager Neal shared that the Pleasant Run Estates is an established subdivision consisting of approximately 30.44 acres in Phase 1-A and 29.068 acres in Phase 1-B. Pleasant Run Estates is generally located on the north side of Pleasant Run Road between Houston School Road and Blue Grove. The subdivision has an approved Public Improvement District (PID), established August 8, 2016 and expanded July 11, 2022 to provide for the maintenance of its common areas and entry features. The PID board met on August 9, 2022, to discuss and consider the FY 2022/2023 Five-Year Service and Assessment Plan. The Pleasant Run Estates PID is proposing to increase its annual assessment rate to \$0.2200 per \$100 assessed valuation. The notice was mailed to the property owners of record on Wednesday, August 10, 2022, and the public hearing notice was posted in the local publication of record on Thursday, August 11, 2022, as required by Local Government Code Chapter 372. Staff recommends City Council conduct and close the public hearing and place the item on the Monday, August 29, 2022, special meeting for consideration.

Mayor Hairston opened the public hearing.

There were no speakers.

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

**9. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Meadowview Estates Public Improvement District.**

Assistant City Manager Neal shared that the Meadowview Estates is an established subdivision consisting of approximately, 810 Single Family Lots and 1 common area/detention pond, 215.262 total acreage including 50.614 acres in Phase 1, 36.907 acres in Phase 2, 36.493 in Phase 3, 2.869 acres in Phase 4 and 88.384 acres in Phase 5. This subdivision is generally located east of Ames Road, west of Dizzy Dean Drive and north of Wintergreen Road. The subdivision has an approved Public Improvement District (PID), established August 8, 2011 to provide for the maintenance of all common areas and entry features. The PID board met on August 9, 2022, to discuss and consider the FY 2022/2023 Five-Year Service and Assessment Plan. The Boardwalk PID is proposing to maintain its current annual assessment rate of \$0.1000 per \$100 assessed value. The notice was mailed to the property owners of record on Wednesday, August 10, 2022, and the public hearing notice was posted in the local publication of record on Thursday, August 11, 2022, as required by Local Government Code Chapter 372. Staff recommends City Council conduct and close the public hearing and place the item on the August 29, 2022, special meeting for consideration.

Councilmember Strain-Burk asked if new contractors had to be hired for the Splashpad project and if there is a timeline for the project to be finished.

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Assistant City Manager Neal clarified that they will be recommending new contractors to complete the project that is in place and that there is no timeline that has been set.

Mayor Hairston opened the public hearing.

There were no speakers.

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

**10. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Rolling Meadows Public Improvement District.**

Assistant City Manager Neal shared that the Rolling Meadows is an established subdivision consisting of approximately 38.8 acres and Phase 3 consisting of 21.360 acres generally located on the east and west side of Rolling Hills Place and on the North side of Beltline. The subdivision has an approved Public Improvement District (PID), established August 25, 2008 and expanded on January 24, 2022 to provide for the maintenance of all common areas and entry features. The PID board met on August 5, 2022, to discuss and consider the FY 2022/2023 Five-Year Service and Assessment Rate Plan. The Rolling Meadow PID is proposing to maintain its current annual assessment rate of \$0.3000 per \$100 assessed valuation. The notice was mailed to the property owners of record on Wednesday, August 10, 2022, and the public hearing notice was posted in the local publication of record on Thursday, August 11, 2022, as required by Local Government Code Chapter 372. Staff recommends City Council conduct and close the public hearing and place the item on the August 29, 2022, special meeting for consideration.

Mayor Hairston opened the public hearing.

There were no speakers.

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

**11. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Tribute at Mills Branch and Tribute East at Mills Branch Public Improvement District.**

Assistant City Manager Neal shared that the Tribute at Mills Branch and Tribute East at Mills Branch is a subdivision of approximately 42.7 acres located south of Beltline Road and east of Southwood Drive and platted as the Tribute at Mills Branch, Phases 1A and 1B, 190 single family lots and 9 common areas, recorded in Volume 2005097, Page 37 and Volume 2005163, Page 183, Deed Records of Dallas County, Texas; and Tribute East at Mills Branch (291 North Blue Grove Road); of approximately 4.64 acres from John M. Rawlins Abstract 1209, pg 245, Tract 8, located south of Beltline Road on the west side of North Bluegrove Road, conveyed to Wilbow Homestead Development Corporation, Volume 2005097, Page 3594 Deed Records of Dallas County, Texas. The subdivision has an approved Public Improvement District (PID), established March 27, 2006 to provide for the maintenance of its common areas and entry features. The PID board met on July 28, 2022, to discuss and consider the FY 2022/2023 Five-Year Service and

Assessment Plan. The Tribute at Mills Branch and Tribute East at Mills Branch PID is proposing to maintain its current annual assessment rate of \$0.3600 per \$100 assessed valuation. The notice was mailed to the property owners of record on Wednesday, August 10, 2022, and the public hearing notice was posted in the local publication of record on Thursday, August 11, 2022, as required by Local Government Code Chapter 372. Staff recommends City Council conduct and close the public hearing and place the item on the August 29, 2022, special meeting for consideration.

Mayor Hairston opened the public hearing.

There were no speakers.

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

Councilmember Wheaton asked Council if Items 3 – Items 11 could be combined with the public hearing and action meeting moving forward.

City Attorney Ritter, said he will check if there is a requirement of two (2) meetings.

**12. M22-24 Conduct a public hearing and consider an exception request to the Lancaster Development Code Article 14.503 (A) (3) - Residential Garages and Carports waiving the requirement to recess the garage at a property located at 1285 Cedardale Road. The property is a 0.199 acre tract. The property is known as PT Lot 1, Block B, of the Cedardale Highlands Addition, City of Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones shared that the applicant submitted a written request asking item 12 be postponed. Staff is recommending City Council consider acceptance of the applicant request to postpone to the next Regular Meeting on September 12, 2022.

Mayor Hairston opened the public hearing.

There were no speakers.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Mayor Pro-Tem Gooden-Davis to table item 12 until September 12, 2022 Regular Meeting. The vote was cast 7 for, 0 against.

**13. M22-26 Conduct a public hearing and consider an ordinance granting six (6) exceptions to the Medical District Corridor standards, a subdistrict of the Medical District Overlay, for a property**

City Manager Mauldin-Jones shared that the property located at 3255 W. Pleasant Run Road is 0.85 acres in size, known as Lot 1-A, Block B, out of the Beckley City Lots Addition, in the City of Lancaster, Dallas County, Texas. The lot is proposed to be developed into a Dutch Bro Coffee shop. The coffee shop is proposing to locate in the building formerly occupied by Grandy's

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restaurant. The property will be demolished and a new structure will be built. The Dutch Bros Coffee building product type focuses on a smaller building footprint that is exclusively drive-thru and walk-up service only; there is no indoor dining area. The intent of the building placement in the Medical District is to create a strong street wall to give the streetscape a distinct identity and provide consistency along the street edge. The district requires a 20-foot build-to-line along Pleasant Run Road, and 5 feet on local roads (Idlewild Lane), which dictates where the building should be placed in relation to the south and west property lines. The applicant requests a building that is setback 32 feet from the property line adjacent to Pleasant Run Road. There is an existing 20-foot-wide sewer easement parallel to Pleasant Run Road. Due to the location of the walk-up canopy, if the building were to be placed on the 25-foot build-to-line, the canopy would encroach 8 feet into the sewer easement. Structures in an easement are prohibited. The proposed Dutch Bros Coffee meets the intent of providing a regional service for the surrounding area. The company is proposing additional landscaping, use of enhanced building materials to include stone, stucco and cementitious fiberboard, and this project will be redevelopment of the current vacant and underutilized site and enhancement to the Pleasant Run corridor providing service. Staff is in support of the applicant's request.

Councilmember Jaglowski shared that he looks forward to Dutch Bro Coffee Shop breaking ground and finishing their project.

Councilmember Mejia shared that it is only fair that Dutch Bro Coffee shop gets the developmental needs they are requiring.

Councilmember Strain-Burk shared her excitement on Dutch Bro Coffee shop coming forward with a good product.

Mayor Hairston shared that this will be an enhancement in the area and bring future developers to the area.

Mayor Hairston opened the public hearing.

There were no speakers.

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

**MOTION:** Councilmember Jaglowski made a motion, seconded by Mayor Pro-Tem Gooden-Davis to approve item 13 with the exceptions noted. The vote was cast 7 for, 0 against.

**Action:**

- 14. Discuss and consider a resolution approving a negotiated settlement between Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2022 rate review mechanism filing; declaring existing rates to be unreasonable; and adopting tariffs that reflect rate adjustments consistent with the negotiated settlement.**

City Manager Mauldin-Jones shared that the City, along with 181 other Mid-Texas cities served by Atmos Energy Corporation has negotiated a settlement with Atmos Energy Corporation regarding there GRIP filing (arising out of the Gas Reliability Infrastructure Program legislation).

A negotiation settlement was done with the Atmos Steering Committee and Atmos Energy Corp. On or about April 1, 2022, the Company filed a rate request pursuant to the RRM Tariff adopted by ACSC members. The Company claimed that its cost-of-service in a test year ending December 31, 2021, entitled it to additional system-wide revenues of \$141.3 million. Application of the standards set forth in ACSC's RRM Tariff reduces the Company's request to \$115 million, \$83.26 million of which would be applicable to ACSC members. ACSC's consultants concluded that the system-wide deficiency under the RRM regime should be \$95.8 million instead of the claimed \$141.3 million. The impact of the settlement on average residential rates is an increase of \$4.60 on a monthly basis, or 6.7 percent. The increase for average commercial usage will be \$14.34 or 4.3 percent per month. Atmos provided bill impact comparisons containing these figures. Staff recommends approval of the resolution, accepting the negotiated settlement rate as it provides the lowest cost impact to the citizens of Lancaster.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Mayor Pro-Tem Gooden-Davis to approve item 14. The vote was cast 7 for, 0 against.

**Executive Session:**

**15. Pursuant to Section 551.071(1)(A) and Section 551.071(1)(B) of the Texas Government Code, the City Council shall convene in executive session to confer with the City's attorney to discuss pending, threatened, contemplated or potential related litigation in regard to: Lancaster Municipal Utility District 1 (MUD)**

**16. 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 7:53 p.m. and reconvened into open session at 8:15 p.m.

No action on item 15

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Councilmember Wheaton to adjourn. The vote was cast 6 for, 0 against [Jaglowksi absent].

The meeting was adjourned at 8:15 p.m.

**ATTEST:**

**APPROVED:**

  
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Sorangel O. Arenas, City Secretary

  
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Clyde C. Hairston, Mayor