

MINUTES

LANCASTER CITY COUNCIL REGULAR MEETING OF DECEMBER 12, 2022

The City Council of the City of Lancaster, Texas, met in a called Regular Meeting in the Council Chambers of City Hall on December 12, 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
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
Carey Neal, Assistant City Manager
Chris Youngman, Emergency Management Chief
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
Keturah Barnett, Assistant to the City Manager
Ron Gleaves, IT Manager

Call to Order:

Mayor Hairston called the meeting to order at 7:00 p.m. on December 12, 2022.

Invocation:

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

Pledge of Allegiance:

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

Public Testimony/Citizen's Comments:

Keith Barrett, 650 Ferris Rd. Lancaster, TX 75146, a representative from Air Force DFW wins, recognized, and presented certificates to the City of Lancaster, Lancaster Fire Department, Lancaster Emergency Medical Department, and the Lancaster Police Department.

Elder Carnelius Luis, 323 W. Park Place, Lancaster, TX 75134 representing Light House Chapel shared information regarding community events, programs, and the development center that the Light House Chapel offers.

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Tasha LaFlore, 645 Francis St. Lancaster, TX 75146 acknowledged Assistant City Manager Ray Silva-Reyes and shared concerns about the homeless population, and abandoned buildings in the City of Lancaster.

Carey Neal, 211 N. Henry St., Lancaster, TX 75146 shared information regarding the annual "IT'S TIME TEXAS" community challenge.

Dori Lee, 211 N. Henry St. Lancaster, Texas; shared employee recognition from Paul Cooper, Chief Utility Relocation Manager of Dallas County Public Works gave recognition to Engineer Paul Hardy for the services he has provided to strengthen the bond between the City of Dallas and the City of Lancaster.

Consent Agenda:

1. Consider approval of minutes from the City Council Special Meeting held on November 7, 2022
2. Consider a resolution approving the terms and conditions of an agreement with Paragon Multi Family Roofing Inc. through an Interlocal Agreement with The Interlocal Purchasing System (TIPS), in an amount not to exceed eighty-two thousand five hundred dollars and zero cents (\$82,500.00).
3. Consider amending the Code of Ordinances, Chapter 10, Article 10.04 (Fire Code).

MOTION: Councilmember Jaglowski made a motion, seconded by Mayor Pro-Tem Gooden-Davis to approve consent items C1 – C3 with the memorandum on item C3 mentioning the adopted version of the Code of Ordinance, Chapter 10, Article 10.04 (Fire Code) had a typographical error. The vote was cast 7 for, 0 against.

Action:

4. Discuss and consider a resolution ratifying a grant agreement between the Lancaster Economic Development Corporation and Saviana Winery, LLC in an amount not to exceed seventy-five thousand dollars (\$75,000), from funds collected from one-fourth (1/4) of one (1) percent additional sales and use tax for the promotion and development of new and expanded business enterprises, as authorized by state law.

Mayor Hairston shared action item 4 was pulled by the applicant.

Public Hearing:

5. Z22-13 Conduct a public hearing and consider a request to establish a Neighborhood Preservation Overlay on 79.44 acres. The properties are located west of the intersection of Bluegrove Road and Enchanted Lane. The properties are within the Enchanted Forest Addition in the City of Lancaster, Dallas County, Texas.

City Manager Mauldin-Jones shared that this item is to consider a request to establish a Neighborhood Preservation Overlay on 79.44 acres. Section 14.506 (C) (1) of the Lancaster

Development Code adopted on April 24, 2006 states, "Within the City of Lancaster there are many unique and distinctive residential neighborhoods which contribute significantly to the overall character and identity of the City. Enchanted Forest was established by plat on August 30, 1963. On May 27, 2022, 66 residents of the Enchanted Forest neighborhood submitted petitions to propose a Neighborhood Preservation Overlay (NPO). The purpose of the NPO as defined by the residents is to "preserve and enhance the Enchanted Forest neighborhood's unique character, and quality of life, and safeguard property value by imposing neighborhood-specific development standards that reflect the existing character of the single-family neighborhood." There are opportunities for infill development on the remaining 12 vacant lots. To ensure future development is calibrated appropriately to the existing residences, the neighborhood is requesting to establish an NPO to have design standards for new construction and rehabilitation of existing buildings or structures, to preserve the rural look and feel of the neighborhood. The initiation procedure states, "a zoning change application for designation as a Neighborhood Preservation Overlay shall be initiated at the request of owners representing 55% of the land area within the proposed Overlay or Request of 51% of property owners within the proposed Overlay. The signatures collected compose 66% of verified property owners within the Enchanted Forest Neighborhood, consenting to the NPO. On December 2, 2022, a notice for this public hearing appeared in the Focus Daily Newspaper. A sign was posted on the western edge of Enchanted Lane and notices were mailed to owners within 200 feet of the subject property. Staff has received 12 letters of support and 3 in opposition.

Daniel Holden, 1201 Shady Lane, Lancaster, TX 75146, a representative of this item shared a presentation on the Enchanted Forest Neighborhood Preservation Overlay Proposal.

Councilmember Mejia expressed his appreciation for the presentation and questioned if there is existing protection for established homes being demolished. Councilmember Mejia also shared his opinion on the Square Footage of the homes being built.

Deputy Mayor Pro-Tem Cheatham shared how beautiful the Enchanted Forest Neighborhood had become.

Councilmember Jaglowski commends the Enchanted Forest Neighborhood Representative and thanked staff for the cooperation they provided to Enchanted Forest.

Councilmember Strain-Burk also shared her commendation on the neighborhood's tenacity in preserving the neighborhood.

Mayor Hairston opened the public hearing.

No Speakers.

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

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski to approve item 5. **The roll call vote** was cast 7 for, 0 against.

- 6. M22-29 Conduct a public hearing and consider several exception requests on the property addressed as 3200 West Pleasant Run Road for a mixed use development.**

The property is known as Lot 1, Block 1, out of the Gateway Plaza East Addition, City of Lancaster, Dallas County, Texas.

City Manager Mauldin-Jones shared that this item is to consider several exception requests on the property addressed as 3200 West Pleasant Run Road for a mixed-use development. The property is known as Lot 1, Block 1, out of the Gateway Plaza East Addition, City of Lancaster, Dallas County, Texas. The subject property is currently split-zoned Commercial Highway (CH) and Single-Family Residential (SF-5) within the Medical District Corridor and Mixed Density Residential sub-districts, within the Medical District Overlay. The Future Land Use Plan of the Comprehensive Plan identifies this site as Suburban Mixed Use. The proposed restaurant, office, retail, and apartment uses are consistent with the Comprehensive Plan. The applicant is proposing to re-develop the site for commercial, office, and apartment use within the Medical District Corridor. The site will be developed into phases; phase I will include the existing bank and office building and the applicant proposes building two small restaurant kiosks. Phase II will be new development located towards the rear of the site and will include commercial, office, and multi-family uses. The Exceptions are as follows; Building Setbacks, Lot Coverage, Height, Building Corner Treatment, Building Articulation, Roof Line Articulation, Primary Cladding Materials, Material Transitions around Corners, Surface Parking Perimeter Screening, Parking End Caps, and Landscape Medians. Staff recommends denial of the requests for the following reasons: The proposed minimum living area does not meet the Medical District Overlay requirement nor does it meet the Council's vision. The Overlay already provides flexibility (600 sq. ft for studios and 750 sq. ft. for 1 bedroom) of a reduced minimum living area size. Staff met with the developer to discuss the Council's vision for higher-quality material for phase II of the project; however, the developer was not amenable to adding higher-quality material to phase II. On November 4, 2022, a notice for this public hearing appeared in the Focus Daily Newspaper. Staff mailed notifications of this public hearing to all property owners that are within 200 feet of the subject site, in addition to a sign being posted on the property. Staff has not received letters of support or opposition.

Mayor Hairston opened the public hearing.

Monte Anderson, 100 S. Main St, Duncanville, TX, 75137, the applicant gave a presentation on Item 6.

Councilmember Jaglowski, questioned if the buildings would be retail or living spaces and could a mixture of square footage be given.

Applicant Anderson clarified the buildings would be a combination of retail and living spaces. The applicant shared that higher square footage would not be in the best interest of the budget they have in mind.

Councilmember Jaglowski responded that the City of Lancaster's vision is for bigger homes and is concerned about the size and building materials that will be done with this project.

City Manager Mauldin-Jones noted that staff strove to work with the building developers to address City Council concerns but was rejected by the developers.

City Attorney Ritter clarified that a Development Agreement was being proposed but staff did not receive elevation images for Phase II. However, the elevation images were provided today.

Councilmember Mejia expressed to the applicant the desire for a signed development agreement.

Applicant Anderson stated that he would remove the living residential side from the building and leave it for retail to avoid complications.

Mayor Hairston asked the City Attorney Ritter if this item should be tabled, because of request and proposed changes.

City Attorney Ritter clarified that a Development Agreement would be the next step to avoid any future complications.

Deputy Mayor Pro-Tem, Cheatham shared his concerns regarding the square footage of each residential space.

Applicant Anderson asked for clarification on what the City Council is looking for and further elaborated that the larger spaces are not financially the best option.

Rick Adamski, 701 Elsbeth St. Dallas, TX 75208, shared that he is working with the applicant and suggested that Phase I be approved, and then Council could have a conversation about Phase II.

Josh Allen, 1300 S. Polk St. Dallas, TX 75224, the architect of the applicant shared his support for this item.

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

MOTION: Councilmember Mejia made a motion, seconded by Councilmember Jaglowski to table item 5 until the January 9, 2023, Regular Meeting. **The roll call vote** was cast 7 for, 0 against.

Action

- 7. Discuss and consider confirmation of Civil Service Commission appointment as designated by the City Manager.**

Mayor Hairston shared City Manager Mauldin-Jones's request reappointment of Audley Logan to the Civil Service Commission.

<u>Civil Service Commission</u>	<u>Term Expires</u>	
Audley Logan	2024	Reappointment, regular position

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to accept reappointments for item 7. The vote was 7 for, 0 against.

- 8. Discuss and consider confirmation of nominations made by the Mayor for appointments to the City of Lancaster Zoning Board of Adjustment.**

Mayor Hairston nominated to re-appoint the following members: Darlene Webb, and Vanessa Obi for the regular positions with a term expiring 2024 and Shay Kennedy for the alternate position with a term expiring 2023.

<u>Civil Service Commission</u>	<u>Term Expires</u>	
Darlene Webb	2024	Reappointment, regular position
Vanessa Obi	2024	Reappointment, regular position
Shay Kennedy	2023	Appointment, alternate position

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski to accept nominations for item 8. The vote was cast 7 for, 0 against.

9. Discuss and consider the annual appointments to the City of Lancaster Boards and Commissions.

Airport Advisory Board

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski to reappoint Gary Wilson for the regular position and William Newton as alternate with terms expiring 2024 and 2023 to the Airport Advisory Board. The vote was cast 7 for, 0 against.

MOTION: Mayor Pro-Tem Gooden-Davis made a motion, seconded by Councilmember Strain-Burk to nominate Sedrick Butler for the vacant regular position with a term expiring in 2024 to Airport Advisory Board. The vote was cast 7 for, 0 against.

Animal Shelter Advisory Committee

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski to reappoint Dr. Caroline Brown for the veterinary position with a term expiring in 2024 the Animal Shelter Advisory Committee. The vote was cast 7 for, 0 against.

MOTION: Councilmember Jaglowski made a motion, seconded by Councilmember Strain-Burk to nominate Tiffany McKee for the vacant regular position with a term expiring in 2024 the Animal Shelter Advisory Committee. The vote was cast 7 for, 0 against.

MOTION: Councilmember Jaglowski made a motion, seconded by Councilmember Strain-Burk to nominate Christy Boyd as an alternate with a term expiring 2023 to the Animal Shelter Advisory Committee. The vote was cast 6 for, 0 against, 1 abstain. [Cheatham]

Capital Advisory Committee

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski to nominate Lynne Turner for the ETJ position with a term expiring in 2024 to the Capital Advisory Committee. The vote was cast 7 for, 0 against.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Wheaton to nominate Sherita Haggerty for the realtor position with a term expiring in 2024, in the Capital Advisory Committee. The vote was cast 7 for, 0 against.

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MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski to nominate Knijinski Mathonican for the vacant alternate position with a term expiring 2023 to the Capital Advisory Committee. The vote was cast 7 for, 0 against.

Economic Development Corporation Board (4A)

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski to reappoint Ellen Clark, Ted Burk, and Octavia Giadolor for reappointment with terms expiring in 2024 to the Economic Development Corporation Board. The vote was cast 6 for, 0 against, 1 abstain. [Wheaton]

Mayor Hairston mentioned that the Historic Landmark Preservation Committee wishes to interview potential board members.

Lancaster Recreational Development Corporation (4B)

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Wheaton to reappoint Latitia Carter, Linda Halton, and Sheila Wilson for reappointment with terms expiring in 2024 to the Lancaster Recreational Development Corporation. The vote was cast 7 for, 0 against

Lancaster State Auxiliary Museum Advisory Board

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Wheaton to move alternate position Elizabeth Richardson to the regular position and reappoint Wynter Dalton to the alternate position with terms expiring 2024 and 2023 to the Lancaster State Auxiliary Museum Advisory Board.

MOTION: Mayor Pro Tem Gooden-Davis made a motion, seconded by Councilmember Wheaton to nominate Saran Sanchez as the alternate position with term expiring 2023 to the Lancaster State Auxiliary Museum Advisory Board. The vote was cast 7 for, 0 against.

Library Advisory Board

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski to reappoint Angela McCowan and move David Birge to a regular position with term expiring in 2024 to the Library Advisory Board. The vote was cast 7 for, 0 against.

MOTION: Mayor Pro-Tem Gooden-Davis made a motion, seconded by Councilmember Mejia to nominate Shannon Bell for the alternate position with terms expiring 2023 to the Library Advisory Board. The vote was cast 7 for, 0 against.

Park and Recreation Advisory Board

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Wheaton to reappoint Jerry Giles, France Allen to the regular position, and Kenneth King as the alternate position with terms expiring 2024 and 2023 to the Park and Recreation Advisory Board. The vote was cast 7 for, 0 against.

Planning and Zoning Commission

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Wheaton to reappoint Spencer Hervey and Taryn Walker to regular positions with term expiring in 2024 to the Planning and Zoning Commission. The vote was cast 7 for, 0 against.

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Councilmember Strain-Burk nominated Joel Chambers for the alternate position.

Councilmember Jaglowski nominated Shannon Collins for the alternate position.

Deputy Mayor Pro-Tem Cheatham nominated Carlos Gray for the alternate position.

The roll call vote was cast 4 for, 3 against [Hairston, Wheaton, Cheatham] to appoint Shannon Collins for the alternate position with term expiring 2023 to the Planning and Zoning Commission.

Property Standards and Appeals Board

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Wheaton to move Joyce Whitaker to a regular position with term expiring in 2024 to the Property Standards and Appeals Board. The vote was cast 7 for, 0 against.

Mayor Pro-Tem Gooden-Davis made a motion to nominate Pamela Yeargin for the second regular position.

Councilmember Strain-Burk made a motion to nominate Kevin Allan for the second regular position.

Councilmember Jaglowski made a motion to nominate Andre Lindsey for the second regular position.

The roll call vote was cast 4 for, 3 against [Hairston, Strain-Burk, Jaglowski] to appoint Pamela Yeargin for the second regular position with a term expiring 2024 to the Property Standards and Appeals Board.

Councilmember Strain-Burk made a motion to nominate Kevin Allen for the alternate position.

Councilmember Jaglowski made a motion to nominate Andre Lindsey for the alternate position.

The roll call vote was cast 5 for, 2 against [Jaglowski, Wheaton] to appoint Kevin Allen for the alternate position with term expiring 2023 to the Property Standards and Appeals Board.

Youth Advisory Committee Adult Sponsor

MOTION: Councilmember Jaglowski made a motion, seconded by Councilmember Strain-Burk to reappoint Judith Osegueda for the regular position with term expiring 2024 to the Youth Advisory Committee Adult Sponsor. The vote was cast 7 for, 0 against.

Airport Advisory Board

Sedrick Butler
 Gary Wilson
 William Newton

Term Expires

2024
 2024
 2023

Reappointment, regular position
 Reappointment, regular position
 Appointment, alternate position

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Animal Shelter Advisory Committee

Dr. Caroline Brown - DVM
Tiffany McKee - Employee
Christine Boyd

Term Expires

2024
2024
2023

Reappointment, regular position
Reappointment, regular position
Appointment, alternate position

Capital Advisory Committee

Len Turner – ETJ
Sherita Haggerty – Real Estate
Knijinski Mathonican

Term Expires

2024
2024
2023

Reappointment, regular position
Reappointment, regular position
Appointment, alternate position

Economic Development Corp.

Ellen Clark
Ted Burk
Octavia Giadolor

Term Expires

2024
2024
2024

Reappointment, regular position
Reappointment, regular position
Reappointment, regular position

Lancaster Recreational Development Corp. (4B)

Latitia Carter
Linda Halton
Sheila L. Wilson

Term Expires

2024
2024
2024

Reappointment, regular position
Reappointment, regular position
Reappointment, regular position

Lancaster State Auxiliary Museum Advisory Board

Elizabeth Richardson
Wynter M. Dalton
Sara Sanchez

Term Expires

2024
2024
2023

Reappointment, regular position
Reappointment, regular position
Appointment, alternate position

Library Advisory Board

Angela McCowan
David Birge
Shannon Bell

Term Expires

2024
2024
2023

Reappointment, regular position
Reappointment, regular position
Appointment, alternate position

Parks & Recreation Advisory Board

Jerry W. Giles
Frances Allen
Kenneth King

Term Expires

2024
2024
2023

Reappointment, regular position
Reappointment, regular position
Appointment, alternate position

Planning & Zoning Commission

Spencer Hervey
Taryn Walker
Shannon Collins

Term Expires

2024
2024
2023

Reappointment, regular position
Reappointment, regular position
Appointment, alternate position

Property Standards & Appeals Board

Joyce Whitaker
Pamela Yeargin

Term Expires

2024
2024

Appointment, regular position
Appointment, regular position

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Kevin Allen	2023	Appointment, alternate position
<u>Youth Advisory Committee Adult Sponsor</u>	<u>Term Expires</u>	
Judith Osegueda	2024	Reappointment, regular position

Executive Session:

10. In accordance with Chapter 551 of the Texas Government Code (the Texas Open Meetings Act), the City Council may meet in executive session to discuss the following:
1. Section § 551.071(1)(a) of the Texas Government Code to seek legal advice from the City Attorney concerning pending, threatened, contemplated or potential related litigation in regard to Real Property located at 1508 Dewberry Boulevard (Bel-Air Place Apartments).
 2. Section 551.071 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 Real Property located at 632 Reindeer Road.
11. 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 9:20 p.m. and reconvened into open session at 9:47 p.m.

No action on item 10.

Mayor Hairston wished Councilmember Mejia a Happy Birthday.

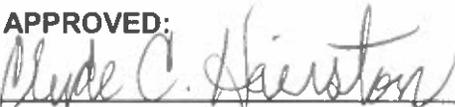
MOTION: Councilmember Wheaton made a motion, seconded by Councilmember Strain-Burk to adjourn. The vote was cast 7 for, 0 against.

The meeting was adjourned at 9:47 p.m.

ATTEST:


 Sorangel O. Arenas, City Secretary

APPROVED:


 Clyde C. Hairston, Mayor