

## MINUTES

## LANCASTER CITY COUNCIL REGULAR MEETING OF DECEMBER 9, 2019

The City Council of the City of Lancaster, Texas, met in a called Regular Meeting in the Council Chambers of City Hall on December 9, 2019 at 7:30 p.m. with a quorum present to-wit:

**Councilmembers Present:**

Mayor Clyde C. Hairston  
Carol Strain-Burk  
Stanley Jaglowski  
Marco Mejia  
Deputy Mayor Pro Tem Derrick D. Robinson  
Mayor Pro Tem Racheal Hill  
Nina Morris

**City Staff Present:**

Opal Mauldin-Jones, City Manager  
Rona Stringfellow, Deputy City Manager  
Fabrice Kabona, Assistant City Manager  
Carey Neal, Assistant to the City Manager  
Dori Lee, Director of Human Resources  
Kim Hall, Director of Finance  
Shane Shepard, Director of Economic Development  
Sean Johnson, Director of Quality of Life and Cultural Services  
Charley Miller, Assistant Police Chief  
Sam Urbanski, Police Chief  
Jason Boulton, Assistant Police Chief  
Senad Deranjic, Police Detective  
Kenneth Johnson, Fire Chief  
Chris Youngman, Assistant Fire Chief  
Jasmine Carr, Community Programs Coordinator  
David T. Ritter, City Attorney  
Andy Waits, Public Works Director  
Terry Capehart, Director of Development  
Sorangel O. Arenas, City Secretary

**Call to Order:**

Mayor Hairston called the meeting to order at 7:30 p.m. on December 9, 2019.

**Invocation:**

Pastor Donniel Wilson led the invocation

**Pledge of Allegiance:**

Councilmember Stanley Jaglowski led the pledge of allegiance.

**Proclamation:**

City Manager Opal Mauldin-Jones and active charter member of Zeta Phi Beta Sorority Incorporated® Upsilon Nu Zeta Chapter read the proclamation for "Zeta Phi Beta Sorority Incorporated® Upsilon Nu Zeta

Chapter Founders' Day Observation" and on behalf of Mayor Clyde C. Hairston encouraged citizens to join in celebrating the sorority's legacy of service and many accomplishments.

**Consent Agenda:**

City Secretary Arenas read the consent agenda.

1. **Consider approval of minutes from the City Council Regular Meeting held on November 11, 2019.**
2. **Consider an Interlocal Agreement between the City of Lancaster and the City of Cedar Hill to become a part of the Regional Training group which includes Desoto and Duncanville.**
3. **Consider a resolution designating representatives of the City of Lancaster authorized to transmit and withdraw funds and take all other actions deemed necessary or appropriate for the investment of local funds in TexPool/TexPool Prime; providing for the addition and deletion of an authorized representative.**
4. **Consider a resolution providing for the re-appointment of the Presiding Judge of the Municipal Court; authorizing the Mayor to execute an agreement providing for compensation, the term of office, and the duties of said Presiding Judge.**
5. **Consider a resolution approving the terms and conditions of an agreement for 103 N. Dallas Avenue, the Visitors Center and State Auxiliary Museum by and between the Committee on House Administration of the State of Texas House of Representatives and the City of Lancaster.**

**MOTION:** Councilmember Morris made a motion, seconded by Councilmember Strain-Burk to approve consent items 1 through 5. The vote was cast 7 for, 0 against.

6. **Z19-12 Conduct a public hearing and consider a Specific Use Permit (SUP) request for in-home daycare at a property addressed as 1440 Gentle Rain Drive; Lot 5 Block L in the Meadowview Phase One Subdivision. The property is located within the J. L. Samson Survey, Abstract No. 1311 City of Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones shared that this is a request for SUP for an in home daycare. The Texas Department of Family and Protective Services does require in-home daycare operators to meet local government requirements as part of the State minimum guidelines for licensing and fire safety inspection is one of the State requirements. The Lancaster Development Code (LDC) requires in-home day cares to obtain a Specific Use Permit (SUP) in all Residential zoning districts. This is a request for an in-home daycare for up to twelve (12) children which currently has six (6) children in the home Five (5)- two (2) year olds and one (1)- three (3) year old). The in-home daycare has been in operation and registered since October 2008. As noted above, the LDC requires in-home day cares to obtain a Specific Use Permit (SUP) in all residential zoning districts. The applicant is therefore seeking to bring the business into compliance with the City's requirements. In home day cares are classified as Home Occupation and operators must meet the home occupancy regulations. On August 27, 2019, a notice for this public hearing appeared in the Focus Daily News. Thirty (30) notification letters of this public hearing were mailed to owners that are within 200 feet of the subject property. There was one (1) letter received in support and two (2) letters in opposition of this request. On November 20, 2019, a notice for this public hearing appeared in the Focus Daily News. There were no letters received in support or opposition of

this request. On November 5, 2019, the Planning and Zoning Commission recommended approval of the item stipulation.

Mayor Hairston opened the public hearing.

There were no speakers.

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

**MOTION:** Councilmember Morris made a motion, seconded by Councilmember Strain Burk to approve item 6. The vote was cast 7 for, 0 against.

7. **Discuss and consider a resolution approving the terms and conditions of an agreement with Halff Associates to prepare Hardscape, Landscape and Irrigation Plans, Specifications, Cost Estimates, Bidding Assistance and Construction Administration/Observation for the Dallas Avenue Green Ribbon Project, authorizing the City Manager to sign a professional services agreement in an amount not to exceed two hundred thirty-one thousand dollars (\$231,000).**

City Manager Mauldin-Jones shared that the city did receive the Green Ribbon grant from the Texas Department of Transportation for \$2,170,456.00 which includes design, construction, construction administration for landscaping along Dallas Avenue (State highway 342) from Cedardale Road to Alexander Avenue. Halff prepared the current streetscape plan and has knowledge that can be incorporated in these design elements. The plans and specifications will be designed in accordance with TXDOT specifications and design standards.

**MOTION:** Mayor Pro Tem Hill made a motion, seconded by Councilmember Morris to approve item 7. The vote was cast 7 for, 0 against.

8. **Discuss and consider a resolution approving the Landscape Maintenance Agreement through the Texas Department of Transportation (TXDOT).**

City Manager Mauldin-Jones shared that staff recommend approval of the maintenance agreement which is the companion item to item 7 which states that once improvements are made the City is responsible for maintenance.

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

9. **Discuss and consider a resolution authorizing the Mayor to sign a ballot casting the City's vote for the fourth member of the Board of Directors of the Dallas Central Appraisal District.**

City Manager Mauldin-Jones shared that a formal vote by ballot to follow through of Ms. Mona Dixon as the City's candidate at Dallas Central Appraisal District.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Councilmember Morris to approve item 9. The vote was cast 7 for, 0 against.

**10. Discuss and consider an appointment to the Capital Improvements Advisory Committee (CIAC).**

City Manager Mauldin-Jones shared that the CIAC should have at least five (5) members and following the resignation of Ms. Cynthia Johnson staff recommends considering Council's appointment of Ms. Temika Whitfield, a current Planning and Zoning Commissioner, who has expressed a willingness to serve.

**MOTION:** Councilmember Morris made a motion, seconded by Councilmember Strain-Burk to approve item 10. The vote was cast 7 for, 0 against.

**11. Discuss and consider a variance request, from the property owner of 2601 N Dallas Avenue, to allow alcohol beverage sales within 300 feet of a school.**

The City Attorney stated the City's ordinance as below:

**Section 109.33(e) of the Texas Alcoholic Beverage Code states:**

"The (City Council) of a city or town that has enacted a regulation under Subsection (a) of this section may also allow variances to the regulation if the governing body determines that enforcement of the regulation in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the (City Council), after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community."

Michael Frank, 3546 Delford Circle, Dallas Texas 75228, shared that he is in favor of the variance because currently there is an undue business hardship since close competitors can sell beer and wine. Mr. Frank stated that his business is less than 300 feet from school and not allowing the business the ability to sell is an inequity due to TABC 300-foot separation requirements.

**MOTION:** Councilmember Morris made a motion to deny item 11, the motion failed due to the lack of a second motion.

**MOTION:** Councilmember Mejia made a motion, seconded by Councilmember Strain-Burk to approve item 11. The vote was cast 5 for, 2 against [Hairston, Morris].

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

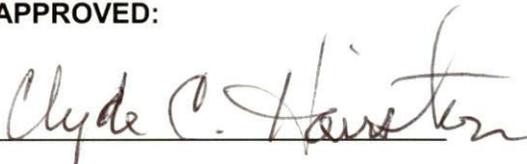
The meeting was adjourned at 8:30 p.m.

**ATTEST:**

  
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Sorangel O. Arenas, City Secretary

**APPROVED:**

  
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Clyde C. Hairston, Mayor