

**MINUTES****LANCASTER CITY COUNCIL MEETING OF SEPTEMBER 24, 2012**

The City Council of the City of Lancaster, Texas, met in Regular session in the Council Chambers of City Hall on September 24, 2012 at 7:00 p.m. with a quorum present to-wit:

**Councilmembers Present:**

Mayor Marcus E. Knight  
Stanley Jaglowski  
Mayor Pro Tem Marco Mejia  
Deputy Mayor Pro Tem James Daniels  
LaShonjia Harris, arrived at 7:02 p.m.  
Nina Morris

**Councilmembers Absent:**

Walter Weaver

**City Staff Present:**

Opal Mauldin Robertson, City Manager  
Amber Dorsey, Community Relations Assistant  
Sheree Haynes, Finance Director  
Sean Johnson, Parks and Recreation Director  
Dori Lee, Human Resources Director  
Ed Brady, Economic Development Director  
Larry Flatt, Police Chief  
Thomas Griffith, Fire Chief  
Rona Stringfellow Govan, Managing Director Public Works / Development Services  
Jim Brewer, Assistant Director Public Works / Development Services  
Shwetha Pandurangi, City Engineer  
Nathaniel Barnett, Senior Planner  
Donald McKinney, Water/Wastewater Superintendent  
Mark Divita, Airport Manager  
Robert E. Hager, City Attorney  
Dolle Downe, City Secretary

**Call to Order:**

Mayor Knight called the meeting to order at 7:00 p.m. on September 24, 2012.

**Invocation:**

Pastor John Richardson with Zion Chapel gave the invocation.

**Pledge of Allegiance:**

Councilmember Jaglowski led the pledge of allegiance.

**Proclamation:**

Mayor Knight stated that representatives from United Way were unable to attend and the proclamation would be mailed.

**Citizens Comments:**

Sharon Scott, 1936 Rosa Parks, expressed concern about lack of communications between the Public Improvement District (PID) and City; commented that the PID would like more collaboration with the Code Officers and that PID board members cannot handle all the responsibility by themselves; asked for more meetings.

Bennie Beverley, 538 Laurel Lane, stated that her water bill is astronomical and no one can explain why; stated it is a two person household and she does not have a leak; said that maybe the meter is being misread. Mayor Knight asked her to speak with Ms. Haynes regarding the matter.

**Consent Agenda:**

City Secretary Downe read the consent agenda.

- C1. Consider approval of minutes from the City Council Regular Meeting held September 10, 2012.**
- C2. Consider a resolution canceling the regular City Council meetings of October 8, November 26, and December 24, 2012.**
- C3. Consider a resolution approving the terms and conditions of a renewable ten year contract by and between the City of Lancaster, Texas, and the Trinity River Authority to analyze pretreated water/wastewater, industrial inspections and/or sampling services in an amount not to exceed \$80,000.**
- C4. Consider a resolution amending the Master Fee Schedule, Article 10.000 Utility Related Fees to add a new Section 10.400 Industrial Discharge Fee for fees charged to industrial customers for testing services for discharged wastewater into the City's collection system.**
- C5. 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 food establishment inspections and other environmental health services.**
- C6. Consider a resolution approving the terms and conditions of a Project Specific Agreement by and between Dallas County and City of Lancaster for the reconstruction of Bonnie View Road from Langdon Road to Wintergreen Road.**
- C7. Consider a resolution approving the terms and conditions of the second amendment to the agreement by and between the University of Texas Southwestern Medical Center at Dallas and the City of Lancaster for services related to the provision of paramedic continuing education.**

- C8. Consider a resolution approving the terms and conditions of the Grant Agreement for the Routine Airport Maintenance Program by and between the City of Lancaster, as Airport Sponsor, and the Texas Department of Transportation, on behalf of the State of Texas; authorizing matching funds in the amount of \$50,000 at the Lancaster Regional Airport.**

**MOTION:** Councilmember Morris made a motion, seconded by Deputy Mayor Pro Tem Daniels, to approve consent items C1 – C8. The vote was cast 6 for, 0 against [Weaver absent].

- 9. Consider a resolution approving the equipment replacement list for fiscal year 2013.**

**MOTION:** Mayor Pro Tem Mejia made a motion, seconded by Councilmember Morris, to approve a resolution approving the Fiscal Year 2013 Equipment Replacement List as presented. The vote was cast 6 for, 0 against [Weaver absent].

- 10. Consider a resolution authorizing the purchase of one (1) fire apparatus (pumper) from Siddons-Martin Emergency Group through an Interlocal Agreement with BuyBoard for an amount not to exceed \$470,304.**

**MOTION:** Deputy Mayor Pro Tem Daniels made a motion, seconded by Councilmember Morris, to approve a resolution authorizing the purchase of one fire apparatus (pumper) from Siddons-Martin Emergency Group through an Interlocal Agreement with BuyBoard for an amount not to exceed \$470,304. The vote was cast 6 for, 0 against [Weaver absent].

- 11. Consider a resolution authorizing the purchase of one (1) ambulance from Professional Ambulance through an Interlocal Agreement with BuyBoard (Contract #400-12) for an amount not to exceed \$188,326.50.**

**MOTION:** Deputy Mayor Pro Tem Daniels made a motion, seconded by Councilmember Morris, to approve a resolution authorizing purchase of one ambulance from Professional Ambulance through an Interlocal Agreement with BuyBoard for an amount not to exceed \$188,326.50. The vote was cast 6 for, 0 against [Weaver absent].

- 12. Discuss and consider a resolution casting the City of Lancaster's vote for Places 11 - 14 in the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election; and authorizing the Mayor to execute the Official Ballot.**

Mayor Knight commented that as a member of the Texas Municipal League Intergovernmental Risk Pool, the City is entitled to cast a ballot for Board Trustees.

Councilmember Jaglowski nominated Greg Ingham for Place 11. The vote was cast 6 for, 0 against [Weaver absent].

Councilmember Jaglowski nominated Larry Gilley for Place 12. The vote was cast 6 for, 0 against [Weaver absent].

Deputy Mayor Pro Tem Daniels nominated Byron Black for Place 13. The vote was cast 6 for, 0 against [Weaver absent].

Mayor Pro Tem Mejia nominated Pat Norriss for Place 14. The vote was cast 6 for, 0 against [Weaver absent].

**MOTION:** Mayor Pro Tem Mejia made a motion, seconded by Councilmember Jaglowski, to approve a resolution casting the City of Lancaster's vote for Places 11 - 14 in the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election as nominated and voted on above and to authorize the Mayor to execute the Official Ballot. The vote was cast 6 for, 0 against [Weaver absent].

### **13. Discuss and consider annual appointments to City of Lancaster boards and commissions.**

Mayor Pro Tem Mejia nominated Quinnie Wright for reappointment to the Planning and Zoning Commission for a term expiring July 2014. The vote was cast 6 for, 0 against [Weaver absent].

Councilmember Morris nominated Roosevelt Nichols to the Planning and Zoning Commission. The vote was cast 3 for [Jaglowski, Harris, Morris], 3 against [Mejia, Knight, Daniels] [Weaver absent]. Tie vote; nomination fails.

Mayor Pro Tem Mejia nominated Genevieve Robinson to the Planning and Zoning Commission for a term expiring July 2014. The vote was cast 4 for [Jaglowski, Mejia, Daniels, Harris], 2 against [Knight, Morris] [Weaver absent].

Mayor Pro Tem Mejia nominated Keith Hutchinson, Dr. Charles Waldrop, and Andy Mungenast for reappointment to the Airport Advisory Board for a regular term expiring July 2014 and Chris Chatmon to alternate for a term expiring July 2013. The vote was cast 6 for, 0 against [Weaver absent].

Deputy Mayor Pro Tem Daniels nominated Sue Wyrick and Richard Wilson for reappointment to the Property Standards and Appeals Board for a regular term expiring July 2014 and to appoint Carolyn Morris from alternate to a regular position for a term expiring July 2014. The vote was cast 4 for [Jaglowski, Knight, Daniels, Morris], 2 against [Mejia, Harris] [Weaver absent].

Mayor Pro Tem Mejia nominated Doniele Wilson as an alternate to the Property Standards and Appeals Board for a term expiring July 2013. The vote was cast 3 for [Jaglowski, Mejia, Knight], 3 against [Daniels, Harris, Morris] [Weaver absent]. Tie vote; nomination fails.

Councilmember Jaglowski nominated Donna Lee as an alternate to the Property Standards and Appeals Board for a term expiring July 2013. The vote was cast 6 for, 0 against [Weaver absent].

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Deputy Mayor Pro Tem Daniels nominated Jerry Giles, Cecelia Rutherford, Willene Watson, and Spencer Hervey for reappointment to the Parks & Recreation Advisory / Recreational Development Board for a regular term expiring July 2014 and to reappoint Donald May as alternate for a term expiring July 2013. The vote was cast 6 for, 0 against [Weaver absent].

Councilmember Harris nominated Doniele Wilson to the Library Advisory Board for a regular position for a term expiring July 2014. The vote was cast 6 for, 0 against [Weaver absent].

Mayor Pro Tem Mejia nominated Arlandre Smith to the Library Advisory Board for a regular position for a term expiring July 2014. The vote was cast 2 for [Jagowski, Mejia], 4 against [Knight, Daniels, Harris, Morris] [Weaver absent]. Nomination fails.

Councilmember Morris nominated Bettie Jones to the Library Advisory Board for a regular position for a term expiring July 2014. The vote was cast 5 for, 1 against [Harris] [Weaver absent].

Councilmember Jagowski nominated Sarah Barker and Laurie Telfair for reappointment to the Library Advisory Board for a regular term expiring July 2014. The vote was cast 6 for, 0 against [Weaver absent].

Councilmember Harris nominated LaToya Browning to the Library Advisory Board as an alternate for a term expiring July 2013. The vote was cast 5 for, 1 against [Morris] [Weaver absent].

Mayor Pro Tem Mejia nominated Larry King, Thomas Hail and Dr. Alleice Summers for reappointment to the Animal Shelter Advisory Board for a regular term expiring July 2014 and to appoint Stacey Jagowski as an alternate for a term expiring July 2013. The vote was cast 6 for, 0 against [Weaver absent].

Below is a recap of the 2012 appointments.

<u>Planning &amp; Zoning Commission</u>	Term Expires	
Quinnie Wright	2014	reappointment, regular position
Genevieve Robinson	2014	new appointment, regular position
<u>Airport Advisory Board</u>		
Keith Hutchison	2014	reappointment, regular position
Dr. Charles Waldrop	2014	reappointment, regular position
Andy Mungenast	2014	reappointment, regular position
Chris Chatmon	2013	reappointment, alternate position
<u>Property Standards and Appeals Board</u>		
Sue Wyrick	2014	reappointment, regular position
Richard Wilson	2014	reappointment, regular position
Carolyn Morris	2014	reappointment, regular position (from alter to reg)
Donna Lee	2013	new appointment, alternate position

Parks and Recreation Advisory Board / Lancaster Recreational Development Corp. (4B)

Jerry Giles	2014	reappointment, regular position
Cecelia Rutherford	2014	reappointment, regular position
Willene Watson	2014	reappointment, regular position
Spencer Hervey	2014	reappointment, regular position
Donald May	2013	reappointment, alternate position

Library Advisory Board

Sarah Barker	2014	reappointment, regular position
Laurie Telfair	2014	reappointment, regular position
Doniele Wilson	2014	new appointment, regular position
Bettie Jones	2014	new appointment, regular position
LaToya Browning	2013	new appointment, alternate position

Animal Shelter Advisory Committee

Larry King	2014	reappointment, regular position
Thomas Hail	2014	reappointment, regular position
Dr. Alleice Summers	2014	reappointment, regular position
Stacey Jaglowski	2013	new appointment, alternate position

**14. Discuss and consider confirmation of nominations made by the Mayor for appointment to the City of Lancaster Zoning Board of Adjustment.**

Mayor Knight nominated the following for appointment to the Zoning Board of Adjustment.

Rebecca Torres-Swanson	reappointment from alternate to regular, term expires July 2014
Jack McCauley	new appointment, regular position, term expires July 2014
Roosevelt Nichols	new appointment, alternate member, term expires July 2013

**MOTION:** Councilmember Morris made a motion, seconded by Councilmember Jaglowski, to confirm the appointments to the Zoning Board of Adjustment as made by Mayor Knight. The vote was cast 6 for, 0 against [Weaver absent].

**15. Discuss and consider appointment of council liaisons to City Boards and Commissions.**

Mayor Knight suggested that with Councilmember Weaver absent it may be best to delay selection of council liaisons to boards and commissions.

**MOTION:** Mayor Pro Tem Mejia made a motion, seconded by Councilmember Morris, to table selection of council liaisons to the October 22, 2012 Council meeting. The vote was cast 6 for, 0 against [Weaver absent].

**Executive Session:**

At 7:40 p.m. Council recessed to go into Executive Session. At 7:43 p.m. the Council convened into closed Executive Session.

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16. **The City Council shall convene into closed executive session pursuant to Section § 551.071 (1) of the Texas Government Code to consult with the City Attorney concerning pending litigation or settlement offer:**
  - (a) **Cause No. 3:12-cv-00064-B, styled J. S. Haren Company v. City of Lancaster; and**
  - (b) **Cause No. 11-10174 Con-Way Truckload, Inc. v. City of Lancaster.**
17. **Reconvene into open session. Consider and take appropriate action(s), if any, on executive session matters.**

The City Council recessed from Executive Session at 8:16 p.m. and reconvened into open session at 8:17 p.m.

Regarding item 16(a) the J. S. Haren matter, City Attorney Hager read the following motion into the record: Move to authorize the City Manager to execute a settlement agreement by and between J. S. Haren and the City of Lancaster to settle an outstanding contract dispute by release of retainage and payment of \$12,000; and to obtain a full release of all liabilities and claims for construction of a water chlorination system in Case No. 3:12-cv-00064-B, styled J. S. Haren Company v. City of Lancaster filed in the United States District Court Northern District of Texas.

**MOTION:** Councilmember Jaglowski moved to approve the motion as read by the City Attorney for item 16(a), seconded by Deputy Mayor Pro Tem Daniels. The vote was cast 6 for, 0 against [Weaver absent].

Regarding item 16(b) the Con-Way Truckload matter, City Attorney Hager read the following motion into the record: Move to approve the terms and conditions of Planned Development District regulations on approximately 60+ acres of land owned by Con-Way Truckload to provide for development for Medium Industrial (MI) and Light Industrial (LI) uses, development regulations and subdivision, site and concept plan approval, providing for excluded uses, providing for minimum building size on Lot 3; and, authorizing the Council to consider as an ordinance.

**MOTION:** Councilmember Jaglowski moved to approve the motion as read by the City Attorney for item 16(b), seconded by Councilmember Morris. The vote was cast 5 for, 1 against [Mejia] [Weaver absent].

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

The meeting was adjourned at 8:20 p.m.

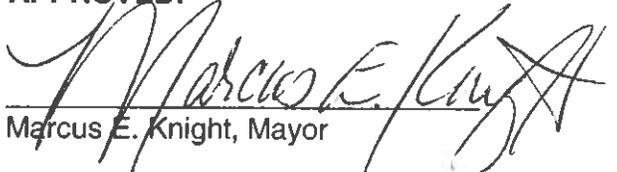
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**ATTEST:**

  
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Dolle K. Downe, City Secretary

**APPROVED:**

  
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Marcus E. Knight, Mayor