

## MINUTES

## LANCASTER CITY COUNCIL MEETING OF JANUARY 14, 2013

The City Council of the City of Lancaster, Texas, met in Regular session in the Council Chambers of City Hall on January 14, 2013 at 7:00 p.m. with a quorum present to-wit:

**Councilmembers Present:**

Mayor Marcus E. Knight  
Stanley Jaglowski  
Mayor Pro Tem Marco Mejia  
LaShonjia Harris  
Nina Morris

**Councilmembers Absent:**

Walter Weaver  
Deputy Mayor Pro Tem James Daniels

**City Staff Present:**

Opal Mauldin Robertson, City Manager  
Alicia Oyedele, Assistant to the City Manager  
Larry Flatt, Police Chief  
Thomas Griffith, Fire Chief  
Dori Lee, Human Resources Director  
Rona Stringfellow Govan, Managing Director Public Works / Development Services  
Kevin Moore, Recreation Superintendent  
Julie Doshier, Associate Attorney on behalf of City Attorney Robert Hager  
Dolle Downe, City Secretary

**Call to Order:**

Mayor Knight called the meeting to order at 7:00 p.m. on January 14, 2013.

**Invocation:**

Pastor John Richardson with Zion Chapel gave the invocation.

**Pledge of Allegiance:**

Councilmember LaShonjia Harris led the pledge of allegiance.

**Recognition:**

Mayor Knight recognized Boy Scout Troup 279 founded by the late Reverend Darnell Pemberton and noted that the troop has three Eagle Scouts including the scout leader, Charles Edward Hill's son. Mayor Knight commented on the importance of encouraging civic engagement.

**Citizens Comments:**

Keisha Pope, 520 Bald Cypress, stated that she had grievances regarding the Police Department and their response to calls to her home; stated that her complaints have been ignored and that responding police officers have been disrespectful during several incidents. Mayor Knight requested she leave a contact number so that the City Manager could directly discuss and address her specific concerns.

Dewayne Hardin, 2622 Arcady, declined to speak when called on.

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Vic Buchanan, 1243 Margaret Court, expressed concerns about what changes may be made in the Code of Ordinances (agenda item C2); also voiced concern about the Con-way matter (agenda item 4) being back on the agenda and Deputy Mayor Pro Tem Daniels, who placed the item on the agenda, not being present at the meeting.

Jim Cheshier, 739 S. Dallas Avenue, stated that the tree is still hanging over the creek at the golf course; thanked staff at the Senior Center and volunteers for their diligent efforts and hard work at the Senior Center.

John Greene, attorney representing Con-Way Truckload, asked that Council agree to reconsider the Con-way item stating that they believe it should be reconsidered for these reasons: the rezoning is consistent with the City's Comprehensive Plan; staff recommended approval of the rezoning; the Planning and Zoning Commission recommended approval; the proposed ordinance is consistent with what was agreed to in mediation; at the Council meeting on September 24, 2012, City Council agreed to the rezoning; and the City would benefit from the jobs created; Mr. Greene commented that at this time, the property will probably remain a field.

Mark Timpe, Assistant Treasurer, Con-Way Truckload, commented that the property was purchased in December 1989 and a second parcel added in 1997; 23 acres were developed; in 2007, Con-Way offered excess property of approximately 18 acres for sale to Martin Transportation with Martin withdrawing their offer due to the inability to secure rezoning; stated that Con-way has continued to work with staff and following several turn downs, has received recommendation of approval from the Planning and Zoning Commission; Mr. Timpe noted that a number of undesirable types of businesses have been removed and pointed out that they are not limited to only considering trucking company uses; asked if denial of the ordinance is an unfair restriction of their trade.

#### **Consent Agenda:**

City Secretary Downe read the consent agenda.

- C1. Consider approval of minutes from the City Council Regular Meeting held December 10, 2012.**
- C2. Consider an ordinance adopting and enacting a new Code of Ordinances; providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof; and providing for the amendment of such Code.**
- C3. Consider a resolution approving the terms and conditions of the Memorandum of Understanding (MOA) with the Texas Commission on Environmental Quality (TCEQ) regarding Vehicle Idling Limitations within the City of Lancaster.**

Councilmember Jaglowski pulled agenda consent item C2.

**MOTION:** Councilmember Jaglowski made a motion, seconded by Mayor Pro Tem Mejia, to approve consent items C1 and C3. The vote was cast 5 for, 0 against [Weaver, Daniels absent].

Councilmember Jaglowski asked for clarification regarding the new Code of Ordinances [item C2]. City Secretary Downe stated that the ordinance adopts the recodification of the City's Code of Ordinances incorporating and updating ordinances as adopted and separates the non-development ordinances into its own volume. The Lancaster Development Code remains in full force and effect.

**MOTION:** Councilmember Morris made a motion, seconded by Mayor Pro Tem Mejia, to approve an ordinance adopting and enacting a new Code of Ordinances [item C2]. The vote was cast 5 for, 0 against [Weaver, Daniels absent].

4.
  - A. **Discuss and consider a motion to reconsider a request of the denial of an ordinance at the December 10, 2012 City Council meeting amending Ordinance No. 2006-04-13, the Lancaster Development Code and Zoning Map of the City of Lancaster, as amended, by granting a change in zoning from LI, Light Industrial, to PD, Planned Development, on approximately 59.04 acres of land in the City of Lancaster, Dallas County, Texas, and more generally located on the north side of Daniieldale Road approximately 1,340+ feet west of the intersection of Houston School Road and Daniieldale Road; and, if necessary,**
  - B. **Discuss and consider an ordinance amending Ordinance No. 2006-04-13, the Lancaster Development Code and Zoning Map of the City of Lancaster, as amended, by granting a change in zoning from LI, Light Industrial, to PD, Planned Development, on approximately 59.04 acres of land in the City of Lancaster, Dallas County, Texas, and more generally located on the north side of Daniieldale Road approximately 1,340+ feet west of the intersection of Houston School Road and Daniieldale Road.**

Mayor Knight noted that this matter has been requested to be brought back for reconsideration and is in two parts with the first part being the motion to reconsider the matter and then with an affirmative vote, consideration of the ordinance.

City Manager Mauldin Robertson stated that Deputy Mayor Pro Tem Daniels requested the item be brought forward for reconsideration and that any member of the governing body may make the motion for reconsideration.

Associate Attorney Doshier reiterated that any member of the governing body may make the motion for reconsideration and following a majority vote to reconsider, City Council may reconsider the zoning ordinance.

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**MOTION:** Councilmember Jaglowski made a motion, seconded by Councilmember Morris, to reconsider a request of the denial of an ordinance at the December 10, 2012 City Council meeting regarding a change in zoning from LI, Light Industrial, to PD, Planned Development, on approximately 59.04 acres generally located on the north side of Daniieldale Road approximately 1,340+ feet west of the intersection of Houston School Road and Daniieldale Road [item 4A]. The vote was cast 3 for [Knight, Jaglowski, Morris], 2 against [Mejia, Harris] [Weaver, Daniels absent].

**MOTION:** Councilmember Morris made a motion, seconded by Councilmember Jaglowski, to consider an ordinance amending Ordinance No. 2006-04-13, the Lancaster Development Code and Zoning Map of the City of Lancaster, as amended, by granting a change in zoning from LI, Light Industrial, to PD, Planned Development, on approximately 59.04 acres of land in the City of Lancaster and more generally located on the north side of Daniieldale Road approximately 1,340+ feet west of the intersection of Houston School Road and Daniieldale Road [item 4B]. The vote was cast 3 for [Knight, Jaglowski, Morris], 2 against [Mejia, Harris] [Weaver, Daniels absent].

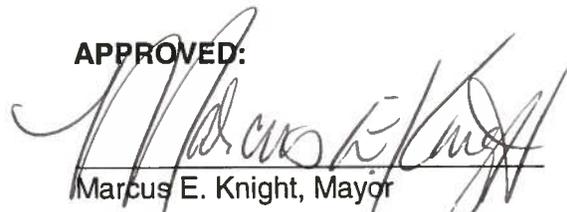
**MOTION:** Councilmember Morris made a motion, seconded by Mayor Pro Tem Mejia to adjourn. The vote was cast 5 for, 0 against [Weaver, Daniels absent].

The meeting was adjourned at 7:28 p.m.

**ATTEST:**

  
Dolle K. Downe, City Secretary

**APPROVED:**

  
Marcus E. Knight, Mayor