

MINUTES**LANCASTER CITY COUNCIL MEETING OF OCTOBER 28, 2013**

The City Council of the City of Lancaster, Texas, met in Regular session in the Council Chambers of City Hall on October 28, 2013 at 7:00 p.m. with a quorum present to-wit:

Councilmembers Present:

Mayor Marcus E. Knight
Carol Strain-Burk
Stanley Jaglowski
Mayor Pro Tem James Daniels
LaShonjia Harris
Deputy Mayor Pro Tem Nina Morris

Councilmember Absent:

Marco Mejia

City Staff Present:

Opal Mauldin Robertson, City Manager
Cheryl Womble, Executive Assistant to City Manager
Austin James, Community Relations Team Leader
Thomas Griffith, Fire Chief
Cheryl Wilson, Police Chief
M. C. Smith, Assistant Chief of Police
Ed Brady, Economic Development Director
Sean Johnson, Parks, Recreation and Library Director
Dori Lee, Human Resources Director
Rona Stringfellow, Managing Director Public Works / Development Services
Jim Brewer, Assistant Director Public Works / Development Services
Shwetha Pandurangi, City Engineer
Surupa Sen, Senior Planner
Robert E. Hager, City Attorney
Dolle Downe, City Secretary
Angie Arenas, Assistant City Secretary

Call to Order:

Mayor Knight called the meeting to order at 7:00 p.m. on October 28, 2013.

Invocation:

Deacon Jones with World Harvest Ministries gave the invocation.

Pledge of Allegiance:

Deputy Mayor Pro Tem Nina Morris led the pledge of allegiance.

Proclamation:

Mayor Knight read a proclamation acknowledging the Lancaster I.S.D. Girls Track Team and their accomplishments. Coach Beverly Humphrey accepted the proclamation and thanked the City and City Council for their acknowledgement and support.

Presentation

Mayor Knight presented Graduate Certificates to members of the recent Civic Leadership Academy, congratulating members on successful completion of the program. Certificates were presented to: Tiffany Davis, Terrence Comick, James Carter, Wilanda Blunt, Tiffany Devereaux, Racheal Hill, Marvin Earle, Barbara Hughes, Lawrence Greer, Stacy Marshall, Darryl Richardson, Cynthia Richardson, and Donna Taylor. Also graduating but unable to attend were: Linda Adair, Desarea Bradley and Charlesetta McCray.

Civic Leadership Graduate Marvin Earle made a special presentation of a plaque to City Manager Mauldin Robertson acknowledging her leadership and vision for the City. Mr. Earle also presented a plaque to Councilmember Jaglowski for his involvement with the Civic Leadership Academy class, expressing their appreciation for his participation.

Citizens Comments:

There were no requests to speak.

Mayor Knight announced that additional research is necessary regarding consent item C4 and item C4 is being pulled from the agenda and would be presented for consideration at a later date.

- C4. Consider a resolution accepting the terms and conditions of a Sanitary Sewer Easement Document for the installation of a sewer line across Dallas County's 125-acre Ten Mile Creek Preserve and the compensation for the easement, by and between Dallas County and City of Lancaster.**

Consent Agenda:

City Secretary Downe read the consent agenda.

- C1. Consider approval of minutes from the City Council Regular Meeting held October 14, 2013.**
- C2. Consider a resolution authorizing the City Manager to execute an Ambulance Services Agreement with Dallas County for the provision of ambulance services to unincorporated areas adjacent to the City of Lancaster.**
- C3. Consider a resolution authorizing the City Manager to execute a Fire Protection Agreement with Dallas County for the provision of fire protection services to unincorporated areas adjacent to the City of Lancaster.**
- C5. Consider an ordinance amending the Code of Ordinances by amending Chapter 8, Article 8.02, "Alarm Systems," Section 8.02.006, permit required; permit required for police response; application; issuance, and providing for a new section 8.02.025; providing a penalty of fine not to exceed five hundred dollars (\$500.00).**

Councilmember Harris pulled item C5 from the consent agenda.

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Morris, to approve consent items C1 – C3. The vote was cast 6 for, 0 against [Mejia absent].

Councilmember Harris requested the City Manager give an overview related to the proposed amendment to police response to alarms. City Manager Mauldin Robertson noted that in January 2011, the Alarms Systems ordinance had been amended to refuse police response to any alarm notification from an alarm site that does not have a valid permit unless the alarm notification is of a certain nature, such as robbery, panic, duress or report to a 911 emergency telephone. City Manager Mauldin Robertson noted that with increased concern regarding crime, the Police Department feels that it is appropriate to respond to all alarms, stating that the proposed amendment would provide for response to all alarms whether permitted or not.

Councilmember Harris commented on how vitally important it is for the citizens to know that a response will be made and thanked the Police Department for bringing the amendment forward.

MOTION: Deputy Mayor Pro Tem Morris made a motion, seconded by Councilmember Strain-Burk, to approve consent item C5 as presented. The vote was cast 6 for, 0 against [Mejia absent].

Mayor Knight moved to agenda item 8.

8. Consider confirmation of Cheryl Wilson as Chief of Police of the Lancaster Police Department; and administer Oath of Office.

City Manager Mauldin Robertson presented Cheryl Wilson as her appointment for Chief of Police noting her 24 years of law enforcement experience with the Dallas County Sheriff's Department.

MOTION: Mayor Pro Tem Daniels made a motion, seconded by Councilmember Jaglowski, to confirm the appointment of Cheryl Wilson as Chief of Police of the Lancaster Police Department. A roll call vote was cast 6 for, 0 against [Mejia absent].

City Secretary Downe administered the Oath of Office for Police Chief Wilson.

Police Chief Wilson made brief remarks expressing appreciation for the opportunity to serve the community.

Mayor Knight called for a brief recess at 7:24 p.m. The meeting was reconvened at 7:34 p.m.

6. Conduct a public hearing and consider an ordinance amending the 2002 Comprehensive Plan by designating approximately 44.08 acres of land from Retail (R) to Light Industrial (LI) and to rezone approximately 11.08 acres of land from Light Industrial (LI) to Neighborhood Services (NS) and to rezone an additional 11.08 acres of land from Neighborhood Services (NS) to Light Industrial (LI). The Property is located on the Northeast corner of Telephone Road and North Dallas Avenue. The property is approximately 44.08 acres, described as Lots 1, 2 and 3; Block A, Ridge Logistics Center of Smith Elkins Survey, Abstract 430, Page 325, City of Lancaster, Dallas County, Texas.

Managing Director Stringfellow gave a presentation and outlined the zoning re-assignment request for a total of 44.08 acres with currently approximately 33 acres zoned LI – Light Industrial and the remaining 11.08 acres zoned NS – Neighborhood Services at the northeast corner of Telephone Road and N. Dallas Avenue. The request is for 11.08 acres of NS zoned land to be rezoned to LI and an equivalent 11.08 acres of LI zoned land to be rezoned to NS in three pieces (6.49, 1.68 and 3.85 acres) around the proposed Balmorhea Drive. The new zoning designation will be Planned Development.

Director Stringfellow noted that the property is currently undeveloped and is part of the Ridge Logistics Center development in Dallas and the proposed Logistics Distribution Center west of the site. It was noted that approximately 1.4 acres of open space will be preserved to protect an existing stand of native trees.

Councilmember Strain-Burk asked about a deceleration lane going north. Director Stringfellow indicated that there is a deceleration lane so as to not impede north bound traffic.

Deputy Mayor Pro Tem Morris asked if the property owners will utilize Lancaster or Dallas water utilities. Director Stringfellow stated that it will depend on how the site plan is laid out, noting that any needs within the Lancaster corporate limits will take Lancaster water.

Councilmember Jaglowski confirmed that many of the buildings in the Neighborhood Services zoning will require Lancaster water. Councilmember Jaglowski asked when the 500 foot of landscaping will be installed. City Engineer Pandurangi stated that the landscaping is on hold due to the 96 inch water line being negotiated by the city of Dallas and Lancaster and that it will probably be about five years before the line is completed.

Dan Grant with Kimley-Horn and Associates made a brief presentation on the project highlighting the opportunities to capture some tax revenues by developing the hard corner of the project as presented.

Councilmembers discussed various permissible uses that may be added into the Planned Development. It was decided that councilmembers may submit a list of permissible uses they desired for inclusion in the ordinance if zoning is approved.

Mayor Knight opened the public hearing.

There were no requests to speak in favor or in opposition of the rezoning request.

MOTION: Mayor Pro Tem Daniels made a motion, seconded by Councilmember Strain-Burk, to close the public hearing. The vote was cast 6 for, 0 against [Mejia absent].

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Daniels, to approve zoning case Z13-03 as recommended by the Planning and Zoning Commission, including the ten prohibited uses for the Planned Development zoning. The vote was cast 6 for, 0 against [Mejia absent].

[With zoning approved, the ordinance outlining additional permissible uses will be presented to Council at the November 18, 2013 special meeting.]

7. **Consider an ordinance approving a negotiated resolution between the Atmos Cities Steering Committee and Atmos Energy Corporation, Mid-Tex Division regarding the company's 2013 annual rate review mechanism filing in all cities exercising original jurisdiction.**

City Manager Mauldin Robertson noted that the ordinance and rate tariffs are the result of negotiations between the Atmos Cities Steering Committee (ACSC) and Atmos to resolve issues raised by ACSC during the evaluation of Atmos Mid-Tex's Rate Review Mechanism (RRM) filing. As a result of the negotiations, ACSC was able to reduce Atmos' requested \$22.7 million increase to \$16.6 million. It was noted that effective January 1, 2014, the average residential customer will experience an increase of approximately \$0.74 per month.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski, to approve an ordinance approving a negotiated resolution between the Atmos Cities Steering Committee and Atmos Energy Corporation, Mid-Tex Division regarding the company's 2013 annual rate review mechanism filing in all cities exercising original jurisdiction. The vote was cast 6 for, 0 against [Mejia absent].

Executive Session:

9. **The City Council shall convene into closed executive session pursuant to Section § 551.074 (a)(1) of the TEXAS GOVERNMENT CODE to deliberate:**

- (a) **the evaluation and duties of a public officer or employee, to-wit: the City Manager; and,**

With regard to the City Manager portion of the Executive Session, item 9(a), City Council discussed postponement until all councilmembers could be present.

MOTION: Deputy Mayor Pro Tem Morris made a motion, seconded by Councilmember Strain-Burk, to table item 9(a) to a special called meeting on November 4, 2013. The vote was cast 5 for, 1 against [Knight] [Mejia absent].

At 8:25 p.m. Council recessed to go into Executive Session. At 8:29 p.m. the Council convened into closed Executive Session pursuant to:

- (b) **the evaluation and duties of a public officer or employee, to-wit: the City Secretary.**

10. **Reconvene into open session. Consider and take appropriate action(s), if any, on closed/executive matters.**

The City Council recessed from Executive Session at 8:54 p.m. and reconvened into open session at 8:55 p.m.

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No action was taken following Executive Session.

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

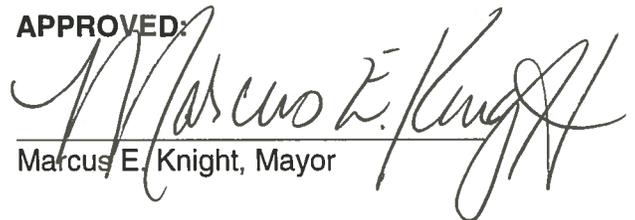
The meeting was adjourned at 8:55 p.m.

ATTEST:



Dolle K. Downe, City Secretary

APPROVED:



Marcus E. Knight, Mayor