

MINUTES

LANCASTER CITY COUNCIL REGULAR MEETING OF MAY 14, 2018

The City Council of the City of Lancaster, Texas, met in a called Regular Session in the Council Chambers of City Hall on May 14, 2018 at 7:00 p.m. with a quorum present to-wit:

Councilmembers Present:

Mayor Marcus E. Knight
Mayor Pro Tem Carol Strain-Burk
Stanley Jaglowski
Marco Mejia (arrive on item 9)
Spencer W. Hervey, Jr.
Derrick D. Robinson seated following oath of office
Clyde C. Hairston
Deputy Mayor Pro Tem Nina Morris

City Staff Present:

Opal Mauldin-Jones, City Manager
Rona Stringfellow, Assistant City Manager
Fabrice Kabona, Assistant to the City Manager
Baron Sauls, Finance Director
Sean Johnson, Director of Quality of Life and Cultural Services
Sam Urbanski, Police Chief
Dori Lee, Director of Human Resources
Shane Shepard, Director of Economic Development
Imelda Speck, ICMA Fellow
Jermaine Sapp, Director of Equipment Services and Facilities
Alton Dixon, Purchasing Agent
Cheryl Womble, Administrative & Community Relations Supervisor
Andy Waits, Water/Wastewater Superintendent
David T. Ritter, City Attorney
Sorangel O. Arenas, City Secretary

Call to Order:

Mayor Knight called the meeting to order at 7:01 p.m. on May 14, 2018.

Invocation:

Reverend Henry Batson gave the invocation.

Pledge of Allegiance:

Mayor Knight led the pledge of allegiance.

Citizens' Comments:

Lee Schmitt, 844 E. Beltline Road, spoke in opposition regarding the slope easements and item 10.

Thomas Hillsman, 6519 Westgate Drive, Dallas, Texas, expressed his appreciation of service to Mayor Marcus Knight, Councilmember Clyde Hairston, and Councilmember Spencer W. Hervey.

Mayor Knight read action items 1 and 2.

1. Consider a resolution canvassing the returns and declaring the results of the General Election for the office of Mayor held on May 5, 2018.

Considerere una resolución para presentar los resultados y declarar los resultados de las Elecciones Generales para la oficina del Alcalde celebrada el 5 de mayo de 2018.

Mayor Knight shared that item 1 requires the canvass of the returns and results declared.

MOTION: Deputy Mayor Pro Tem Morris made a motion, seconded by Mayor Pro Tem Strain-Burk, to approve item 1. The vote was cast 6 for, 0 against [Mejia absent].

2. **Consider a resolution canvassing the returns and declaring the results of the Special Election for Councilmember District 4 and Councilmember District 5 of the City Council held on May 5, 2018.**

Considere una resolución que solicite los resultados y declare los resultados de la Elección especial para el Concejal del Distrito 4 y el Concejal del Distrito 5 del Concejo Municipal que se llevó a cabo el 5 de mayo de 2018.

Mayor Knight shared that item 2 requires the canvass of the returns and results declared. He stated that Derrick D. Robinson received majority of all votes for District 4. The following number of votes was cast for the following named candidates for the office of Councilmember, District 5, to-wit: LaShonjia Harris received 39.32 percent; LaFayette Miles received 29.06 percent; and Racheal Hill received 31.62 percent. It appears that there was not a majority of all votes cast for the office of Councilmember, District 5, a run-off election for Councilmember, District 5 shall be ordered.

MOTION: Deputy Mayor Pro Tem Morris made a motion, seconded by Mayor Pro Tem Strain-Burk, to approve item 2. The vote was cast 6 for, 0 against [Mejia absent].

Consent Agenda:

City Secretary Arenas read the consent agenda.

3. **Consider a resolution ordering a Run-off Election to be held on Saturday, June 16, 2018, for the election of a Mayor at-large and for the election of one Councilmember for District 5; providing for the publication and posting of notice; and providing for early voting dates, times and locations.**

Considere una resolución que ordena una Elección de empate que se celebrará el Sábado, 16 de junio de 2018, para la elección de un alcalde y para la elección de un Concejal para el Distrito 5; se dispone la publicación y aviso de notificación, prevea fechas de votación anticipada, horas y lugares.

4. **Consider a resolution accepting a twenty (20 foot) sanitary sewer easement from I-20 Commerce Center, LLC, Grantor, to the City of Lancaster for the replacement, repair, upgrade and removal of a sanitary sewer and all necessary or desirable structures, facilities and appurtenances necessary to provide a secondary and separate connection to the City Stormwater utility system; establishing conditions, providing for the furnishing of a certified copy of this resolution for recording in the property records of Dallas County, Texas as a deed; and providing an effective date.**
5. **Consider a resolution accepting a ten (10 foot) public sidewalk easement from I-20 Commerce Center, LLC, Grantor, to the City of Lancaster for the installation, construction, operation, maintenance, replacement, repair, upgrade and/or removal of a sidewalk and all necessary or desirable structures, facilities and appurtenances necessary to provide a connection to the City sidewalk/trail system; establishing conditions, providing for the furnishing of a certified copy of this resolution for recording in the real property records of Dallas County, Texas as a deed; and providing an effective date.**
6. **Consider a resolution accepting a ten (10 foot) public sidewalk easement from I-20 Commerce Center, LLC, Grantor, to the City of Lancaster for the installation, construction, operation, maintenance, replacement, repair, upgrade and/or removal of a sidewalk and all necessary or desirable structures, facilities and appurtenances necessary to provide a connection to the City sidewalk/trail system; establishing conditions, providing for the furnishing of a certified copy of**

this resolution for recording in the real property records of Dallas County, Texas as a deed; and providing an effective date.

7. **Consider an ordinance vacating, abandoning, and closing a portion of a City of Lancaster sanitary sewer easement, as described in Exhibit "A", which is attached hereto and incorporated herein, providing for the furnishing of a certified copy of this ordinance for recording in the real property records of Dallas County, Texas a deed; and providing an effective date.**
8. **Consider an ordinance vacating, abandoning, and closing a portion of a City of Lancaster drainage easement, as described in Exhibit "A", which are attached hereto and incorporated herein, providing for the furnishing of a certified copy of this ordinance for recording in the property records of Dallas County, Texas as a deed; and providing an effective date.**

Councilmember Hervey pulled consent items 4, 7 and 8.

MOTION: Deputy Mayor Pro Tem Morris made a motion, seconded by Councilmember Hairston to approve consent items excluding items 4, 7, and 8. The vote was cast 6 for, 0 against [Mejia absent].

4. **Consider a resolution accepting a twenty (20 foot) sanitary sewer easement from I-20 Commerce Center, LLC, Grantor, to the City of Lancaster for the replacement, repair, upgrade and removal of a sanitary sewer and all necessary or desirable structures, facilities and appurtenances necessary to provide a secondary and separate connection to the City Stormwater utility system; establishing conditions, providing for the furnishing of a certified copy of this resolution for recording in the property records of Dallas County, Texas as a deed; and providing an effective date.**

Councilmember Hervey requested staff comments. Assistant City Manager Stringfellow shared that item 4 is a request to accept a twenty (20 foot) sanitary sewer easement to serve Lot 1, Block A of the I-20 Commerce Center Addition. The property to be served by this line consists of approximately 50.755 acres of land and is located on the northwest corner of Daniieldale Road and Houston School Road.

Councilmember Hervey inquired if the request helps with the infrastructure of the project. Assistant City Manager Stringfellow shared that this will assist with the connection to the City Stormwater utility system.

MOTION: Deputy Mayor Pro Tem Morris made a motion, seconded by Councilmember Hervey to approve items 4, 7 and 8. The vote was cast 6 for, 0 against [Mejia absent].

PUBLIC HEARING:

9. **M18-03 Conduct a Public Hearing and consider an ordinance amending the City of Lancaster Comprehensive Plan to incorporate an amended Master Thoroughfare Plan, to remove the proposed N. Longhorn Drive collector (2 lanes) between West Drive and W. Wintergreen Road.**

City Manager Mauldin-Jones shared that item 9 is to consider amending the Master Thoroughfare Plan, to remove the proposed N. Longhorn Drive collector (2 lanes) between West Drive and W. Wintergreen Road. In 2014, the City of Lancaster and the City of Dallas entered and signed an Interlocal agreement/license for the use of an existing public rights-of-way to accommodate for the Southwest 120/96-inch Water Transmission Pipeline Project allowing the City of Dallas to design and construct a 96-inch water transmission pipeline within the corporate limits of the City of Lancaster. The request is to amend the City of Lancaster Comprehensive Land Use Plan and Master Thoroughfare Plan, to remove the proposed Longhorn Drive collector (2 lanes) between West Drive and W. Wintergreen Road. The proposed N. Longhorn Drive collector (2 lanes) between West Drive and W. Wintergreen Road will cross the 96-inch water line and cuts through the middle of the City of Dallas proposed pump station site planned to be located on the north side of W. Wintergreen Road and E. Longhorn Drive. In addition the collector dissects Oakmont 20/35 into two sections.

Councilmember Jaglowski inquired from City Manager Mauldin-Jones if item 9 will be presented to the Planning and Zoning Commission for their consideration. City Manager Mauldin-Jones shared that on May 1, 2018 the Planning and Zoning Commission recommended approval of the amendment to the City of Lancaster Comprehensive Land Use Plan's Master Thoroughfare Plan as presented. Staff concurs with the Planning and Zoning Commission.

Mayor Knight opened the public hearing.

There were no speakers.

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

Councilmember Jaglowski inquired if the roadways mentioned in the agenda are to be abandoned from the Master Thoroughfare Plan. City Manager Mauldin-Jones shared that the two roadways do not exist but was the plan for the future. However, since the 120/96-inch Water Transmission Pipeline Project is allowing the City of Dallas to design and construct a 96-inch water transmission pipeline, the request is to amend the plan to remove the two lanes in the Master Thoroughfare Plan.

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

- 10. M18-06 Consider an ordinance abandoning portions of Patman Drive, Criswell Street, Brantley Drive, Eaton Avenue and 3 separate portions of 15' wide alleys, dispersed within the Daniieldale Resubdivision providing for the furnishing of a certified copy of the Ordinance for recording in the real property records of Dallas County, Texas as a deed; and providing an effective date.**

City Attorney Ritter shared that item 10 is the consideration of abandoning portions of streets and portions of 15' wide alleys. He requested to enter into executive session pursuant to Texas Open Meetings Act.

The City Council recessed for Executive Session at 7:24 p.m. and reconvened into open session at 7:55 p.m.

City Attorney Ritter shared that item 10 is to consider an ordinance abandoning portions of Patman Drive, Criswell Street, Brantley Drive, Eaton Avenue and 3 separate portions of 15' wide alleys, a Slope and Grading Easement and Oak Farms Boulevard dispersed within the Daniieldale Resubdivision. He shared that if it is the will of the body to approve the ordinance to item 10 then the noted portions will be abandoned. Also, the applicant is requesting to abandon the Slope and Grading Easement and Eaton Avenue as well as a portion of Oak Farms Boulevard. He shared that staff recommends approval of the ordinance, as presented to abandon portions of Patman Drive, Criswell Street, Brantley Drive, and 3 separate portions of 15' wide alleys. Staff recommends denial of the request to abandon the Slope and Grading Easement and Eaton Avenue and recommends denial of the request to abandon a portion of Oak Farms Boulevard.

MOTION: Councilmember Mejia made a motion, seconded by Councilmember Hervey, to approve item 10. The vote was cast 6 for, 1 against [Morris].

- 11. Discuss and consider an ordinance granting a franchise for the collection and removal of industrial solid waste and recyclable materials to Evergreen Companies.**

City Manager Mauldin-Jones shared that item 11 is consider granting a franchise agreement to Evergreen Companies. In accordance with the Lancaster Charter Article 9, Section 9.06 (C) stating that "No franchise shall ever be granted until it has been approved by the majority of the City Council, after having been read in full at two (2) regular meetings of the City Council"; this will count as the first reading of this franchise application. Staff recommends placing the item on the June 11, 2018 regular meeting for the second reading and consideration of the franchise agreement with Evergreen Companies.

MOTION: Deputy Mayor Pro Tem Morris made a motion, seconded by Councilmember Hairston to place the item on the June 11, 2018. The vote was cast 7 for, 0 against.

12. Discuss and consider a resolution to approve an amendment to the Water Supply Contract between the City of Lancaster, Texas and G&G Development Partnership, Ltd. acting on behalf of the Lancaster Municipal Utility District No. 1 (MUD).

City Manager Mauldin-Jones spoke on item 12 to consider approval of an amendment to the Water Supply Contract. This request will amend Section 3.01 with the adding of language to reflect "in accordance with 30 TAC 290.45 (f)4 and (f)5". Staff recommends the approval of this resolution, as presented.

Mayor Pro Tem Strain-Burk inquired if there have been compliance issues in the Municipal Utility District. City Manager Mauldin-Jones communicated that the District failed to submit their reports to the Texas Commission on Environmental Quality (TCEQ). The Texas Commission on Environmental Quality (TCEQ) is requesting an amendment to require their submission to comply with TCEQ's regulations.

MOTION: Deputy Mayor Pro Tem Morris made a motion, seconded by Councilmember Hervey to approve item 12. The vote was cast 7 for, 0 against.

13. Discuss and consider the appointment of group membership appointment to the Regional Transportation Council (RTC) for a two-year term.

Mayor Knight shared that item 13 is consider appointment to the Regional Transportation Council (RTC) for a two-year term. Currently, Mayor Rob Franke serves as Chair of the RTC and seeks for reappointment. Mayor Franke requested appoint Mayor Curtistene Smith McCowan, City of DeSoto, as the alternate member.

MOTION: Deputy Mayor Pro Tem Morris made a motion, seconded by Councilmember Hairston, to support Mayor Rob Franke as Chair and Mayor Curtistene Smith McCowan as the alternate member to the Regional Transportation Council (RTC). The vote was cast 7 for, 0 against.

Mayor Knight recessed at 8:05 p.m. and reconvened at 8:49 p.m.

14. Administer oaths of office and present Certificates of Election.

Mayor Knight expressed his appreciation to Councilmember Hervey for his service as District 4 City Council member.


City Secretary Arenas administered the Oath of Office for Derrick D. Robinson. Certificates of Election were presented.

Councilmember Robinson thanked everyone for their patience and expressed his excitement for the opportunity to serve.

MOTION: Deputy Mayor Pro Tem Morris made a motion, seconded by Councilmember Hairston, to adjourn. The vote was cast 7 for, 0 against.

The meeting was adjourned at 8:52 p.m.

ATTEST:



Sorangel O. Arenas, City Secretary

APPROVED:



Clyde C. Hairston, Mayor