

MINUTES**LANCASTER CITY COUNCIL MEETING OF JUNE 13, 2011**

The City Council of the City of Lancaster, Texas, met in Regular session in the Council Chambers of City Hall on June 13, 2011 at 7:00 p.m. with a quorum present to-wit:

Councilmembers Present:

Mayor Marcus E. Knight
Walter Weaver
Marco Mejia
Mayor Pro Tem James Daniels
Clyde Hairston
Deputy Mayor Pro Tem Nina Morris
Council District 2 vacant

City Staff Present:

Opal Mauldin Robertson, City Manager
Alicia Oyedele, Assistant to the City Manager
Sean Johnson, Director Parks and Recreation
Ed Brady, Economic Development Director
Rona Stringfellow Govan, Development Services Director
Nathaniel Barnett, Senior Planner
Mark Divita, Airport Manager
Dolle Downe, City Secretary

Call to Order:

Mayor Knight called the meeting to order at 7:00 p.m. on June 13, 2011.

Invocation:

Pastor Charles Dixon with First Baptist Church gave the invocation.

Pledge of Allegiance:

Councilmember Walter Weaver led the Pledge of Allegiance.

Citizens Comments:

There were no speakers for citizens comments.

Consent Agenda:

City Secretary Downe read the consent agenda.

- 1C. **Consider approval of minutes from the City Council Regular Meeting held May 23, 2011.**
- 2C. **Consider Resolution 2011-06-47 of the City Council of the City of Lancaster, Texas, approving the terms and conditions of an amendment to the Agricultural License Agreement at the Lancaster Regional Airport with Jim Tom Roddy; authorizing the City Manager to execute said amendment; providing a repealing clause; providing a severability clause; and providing an effective date.**

- 3C. Consider Resolution 2011-06-48 of the City Council of the City of Lancaster, Texas, ratifying the actions of the Board of Directors of the Lancaster Economic Development Corporation, approving a six month extension for an incentive grant for the installation of a self service aviation fuel pump to the City of Lancaster acting on behalf of the Lancaster Regional Airport; authorizing the Lancaster Economic Development Corporation to enter into a formal extension agreement; authorizing the City Manager to execute said agreement; providing a repealing clause; providing a severability clause; and providing an effective date.**

MOTION: Mayor Pro Tem Daniels made a motion, seconded by Councilmember Mejia, to approve consent items 1C - 3C. The vote was cast 6 for, 0 against.

- 4. Conduct a public hearing and consider an ordinance of the City of Lancaster, Texas, amending the Comprehensive Zoning Ordinance and map of the City of Lancaster, Texas, as heretofore amended, by granting a change in zoning from Retail-Historic District (R-HD) to Retail-Historic District-Specific Use Permit (R-HD-SUP) to allow a Specific Use Permit for Single-Family Residential use on property located at 147 Historic Town Square/238 East First Street; providing for special conditions; providing a savings clause; providing a severability clause; providing a penalty of fine not to exceed the sum of two thousand dollars (\$2,000) for each offense; and providing an effective date.**

Councilmember Weaver recused himself from discussion and action on item 4. An Affidavit of Conflict of Interest was filed with the City Secretary's office prior to the start of the meeting. Councilmember Weaver left the Council Chambers.

Senior Planner Barnett made a brief presentation outlining the Specific Use Permit (SUP) request to change the use of two units on the Town Square from Office/Retail to Office/Residential/Retail, noting that both units are less than 500 square feet and have been inspected by the Building Official and deemed appropriate for living quarters. The Planning and Zoning Commission recommended approval of the SUP request to add residential as a permitted use for the two units and staff concurs.

Mayor Knight opened the public hearing.

Suzi Weaver, 411 S. Centre, applicant, stated that the request to zone the units for residential use is an economic decision and not a preference, noting problems leasing the spaces in these difficult economic times.

There were no other speakers regarding the zoning request.

Councilmember Mejia commented that the request was submitted for economic reasons and the applicant has tried to rent the units as commercial property, but with the recession, many businesses are struggling. Councilmember Mejia urged Council support of this business.

MOTION: Mayor Pro Tem Daniels made a motion, seconded by Councilmember Hairston, to close the public hearing. The vote was cast 5 for, 0 against [Weaver recused].

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MOTION: Deputy Mayor Pro Tem Morris made a motion, seconded by Councilmember Hairston, to approve an ordinance amending the Comprehensive Zoning Ordinance and map of the City of Lancaster, Texas, by granting a change in zoning from Retail-Historic District (R-HD) to Retail-Historic District-Specific Use Permit (R-HD-SUP) to allow a Specific Use Permit for Single-Family Residential use on property located at 147 Historic Town Square/238 East First Street. The vote was cast 5 for, 0 against [Weaver recused].

Following the vote, Councilmember Weaver returned to his seat in the Council Chambers.

5. **Conduct a public hearing and consider an ordinance of the City of Lancaster, Texas, amending the Comprehensive Zoning Ordinance and map of the City of Lancaster, Texas, as heretofore amended, by granting a change in zoning from Single Family-Historic District (SF6-HD) to Single Family-Historic District-Specific Use Permit (SF6-HD-SUP) to allow a Specific Use Permit for a Charter School use on property generally located on the northeast corner of East Fourth Street and North State Street, and more commonly known as 305 East Third Street, Lancaster, Texas; providing for special conditions; providing a savings clause; providing a severability clause; providing a penalty of fine not to exceed the sum of two thousand dollars (\$2,000) for each offense; and providing an effective date.**

Senior Planner Barnett outlined the request by First Baptist Church to use their Educational Building as a Charter School, noting that the use is compatible with the surrounding area and is in the Historic District. The Planning and Zoning Commission recommended approval of the SUP to allow a charter school and staff concurs.

Mayor Knight opened the public hearing.

Senior Pastor Charles Dixon, First Baptist Church, applicant, spoke in favor of the request. Pastor Dixon stated that First Baptist Church is the fifth oldest Baptist Church in Dallas County and enjoys a great relationship with the City and the school district. He commented that Vista Academy on Wintergreen is the Charter School and introduced various Charter School staff. Pastor Dixon stated that the 14,000 square foot educational building on the First Baptist campus is not used most week days and approval of this request will provide an opportunity for use and bring more people to the Historic District area.

Mayor Pro Tem Daniels asked when the educational building is used by the church. Pastor Dixon said it is used on Sunday mornings and on Wednesday evenings. Approval of this request will place the building into use Monday through Friday, during day time hours.

Councilmember Mejia commented that the Carter School offers another educational option.

Councilmember Weaver commented that this is a good and wise use of the facility.

There were no other speakers regarding the zoning request.

MOTION: Deputy Mayor Pro Tem Morris made a motion, seconded by Mayor Pro Tem Daniels, to close the public hearing. The vote was cast 6 for, 0 against.

MOTION: Councilmember Hairston made a motion, seconded by Deputy Mayor Pro Tem Morris, to approve an ordinance amending the Comprehensive Zoning Ordinance and map of the City of Lancaster, Texas, by granting a change in zoning from Single Family-Historic District (SF6-HD) to Single Family-Historic District-Specific Use Permit (SF6-HD-SUP) to allow a Specific Use Permit for a Charter School use on property generally located on the northeast corner of East Fourth Street and North State Street, and more commonly known as 305 East Third Street. The vote was cast 6 for, 0 against.

6. **Discuss and consider an ordinance of the City of Lancaster, Texas, approving a negotiated resolution between the Steering Committee of Cities served by Oncor (“Steering Committee”) and Oncor Electric Delivery Company LLC (“Oncor” or “Company”) regarding the Company’s application to increase electric rates in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; requiring the Company to reimburse cities’ reasonable ratemaking expenses; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; approving Oncor’s proof of revenues; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; declaring an effective date; and requiring delivery of the ordinance to the Company and the Steering Committee’s legal counsel.**

City Manager Mauldin Robertson noted that Lancaster is a member of the Steering Committee of Cities served by Oncor. Following Oncor’s rate increase request, the Steering Committee negotiated a reduced rate and tariffs. City Manager Mauldin Robertson noted that the monthly bill impact for the average residential customer will be a \$2.35 increase, as opposed to the proposed \$5.00 per bill increase in Oncor’s original filing.

MOTION: Mayor Pro Tem Daniels made a motion, seconded by Deputy Mayor Pro Tem Morris, to approve the negotiated settlement with Oncor Electric Delivery Company reflected in the ordinance. The vote was cast 6 for, 0 against.

7. **Discuss and consider designation of the City’s voting representative to the North Central Texas Council of Governments (NCTCOG).**

Mayor Knight suggested Deputy Mayor Pro Tem Morris be considered as the City’s voting representative.

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MOTION: Councilmember Weaver made a motion, seconded by Mayor Pro Tem Daniels, to nominate Deputy Mayor Pro Tem Morris as the city's voting representative to the North Central Texas Council of Governments. The vote was cast 6 for, 0 against.

MOTION: Councilmember Weaver made a motion, seconded by Councilmember Hairston, to adjourn. The vote was cast 6 for, 0 against.

The meeting was adjourned at 7:30 p.m.

ATTEST:



Dolle K. Downe, City Secretary

APPROVED:



Marcus E. Knight, Mayor

