

**MINUTES****LANCASTER CITY COUNCIL REGULAR MEETING OF FEBRUARY 22, 2021**

The City Council of the City of Lancaster, Texas, met in a called Regular Meeting in the Council Chambers of City Hall on February 22, 2021, at 7:30 p.m. with a quorum present to-wit:

**Councilmembers Present (City Hall & Zoom):**

Mayor Clyde C. Hairston  
Carol Strain-Burk  
Deputy Mayor Pro Tem Stanley M. Jaglowski  
Marco Mejia  
Keithsha C. Wheaton  
Mayor Pro Tem Racheal Hill  
Betty Gooden-Davis

**City Staff Present (City Hall & Zoom):**

Opal Mauldin-Jones, City Manager  
Carey Neal, Assistant City Manager  
Dori Lee, Director of Human Resources  
Kenneth Johnson, Fire Chief  
Kim Hall, Director of Finance  
Nina Neubert, Dispatch Manager  
Sam Urbanski, Police Chief  
Shane Shepard, Director of Economic Development  
Vicki Coleman, Director of Development Services  
Alton Dixon, Purchasing Agent  
Cheryl Womble, Administrative & Community Relations Supervisor  
Crystal Cloud, Utility Billing Manager  
John Melton, Library Manager  
Keturah Barnett, ICMA Fellow  
Kimberli Walker, Court Administrator  
Ron Gleaves, Information Technology Manager  
David T. Ritter, City Attorney  
Sorangel O. Arenas, City Secretary

**Call to Order:**

Mayor Hairston called the meeting to order at 7:37 p.m. on February 22, 2021.

**Invocation:**

Bishop Clyde C. Hairston of Miracle Temple Fellowship Church gave the invocation.

**Pledge of Allegiance:**

Councilmember Gooden-Davis led the pledge of allegiance.

**Recognition:**

Mayor Hairston acknowledged that the City of Lancaster has received the 2020 Economic Excellence Recognition for Outstanding commitment to excellence and achievement in economic development. The award is presented to organizations annually (by application), by The Texas Economic Development Council, for efforts in continuing to strengthen the knowledge and skills of economic development professionals and volunteers throughout the state. The City of Lancaster previously received the Certificate of Achievement for Economic Excellence in 2018, 2019 and now for 2020.

**Public Testimony:**

Opal Mauldin-Jones, 211 N. Henry St., shared information on disaster assistance from FEMA; damage assessment from the Texas Division of Emergency Management; Covid-19 vaccine registration centers; drive through for residents to receive food, water, and personal protective equipment to help combat the Covid-19 virus; Black History Month drive through band showcase. Additional information can be found at [www.lancaster-tx.com](http://www.lancaster-tx.com).

**Consent Agenda:**

City Secretary Arenas read the consent agenda.

1. **Consider approval of minutes from the City Council Special Meeting held on January 19, 2021, Regular Meeting held on January 25, 2021, and Regular Meeting held on February 8, 2021.**
2. **Consider a resolution declaring a local disaster for the City of Lancaster, Texas; providing for the implementation of the City's Emergency Management Plan; providing for a disaster period; and providing an effective date.**
3. **Consider a resolution authorizing the purchase of sixty-four (64) sets of structural firefighting protective clothing from the North America Fire Equipment Co., Inc (NAFECO) through an Interlocal Agreement with the City of Frisco in an amount not to exceed one hundred seventy-five thousand dollars (\$175,000).**

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Hill to approve consent items 1 through 3. The vote was 7 for, 0 against.

4. **Discuss and consider a resolution approving the terms and conditions of a Chapter 380 Agreement between the City of Lancaster, Texas, and RW Dallas Midpoint Owner, LLC.**

City Manager Mauldin-Jones shared RW Dallas Midpoint Owner, LLC (RW) owns approximately 26.65 acres on the west side of Dallas Avenue north of Telephone Road and plans to construct a facility totaling approximately five hundred thousand (500,000) square feet for a warehousing/distribution facility. The building will be built on a speculative basis as no leases are in place for the to-be-completed structure. The estimated taxable valuation of the completed project is twenty million dollars (\$20,000,000).

The company has applied for a real property incentive grant in compliance with the City's Incentive Policy.

This agreement requires the developer to occupy the facility within two years of the execution of the agreement and maintain occupancy for the term of the agreement. The project is required to increase and maintain the taxable value of Real Property by twenty million dollars (\$20,000,000).

The incentive consists of a rebate of Real Property Taxes of up to forty-five percent (45%) for a period of five (5) years on the value of improvements, beginning the tax year after the Certificate of Occupancy is issued for the facility. The company must fully exercise the agreement by 2029.

Based on the estimated value of added capital investment submitted by the company and in consideration of real property tax rebates on the value of improvements, the project will generate approximately four hundred fifty-one thousand dollars (\$451,000) in new revenue to the City over the first five-year period and approximately one hundred sixty-four thousand dollars (\$164,000) annually in the following years.

**MOTION:** Councilmember Mejia made a motion, seconded by Councilmember Gooden-Davis to approve item 4. The vote was 7 for, 0 against.

**5. Discuss and consider an ordinance granting a franchise for the collection and removal of industrial solid waste and recyclable materials to FFC Environmental Services Texas, LLC.**

City Manager Mauldin-Jones shared Article 13.1400 of the Lancaster Code of Ordinances requires all solid waste operators to obtain a franchise agreement in order to collect, haul, or transport solid waste or industrial solid waste and recyclable materials from commercial properties within the City of Lancaster. It is unlawful for any industrial waste operator to operate within the City of Lancaster without such a franchise. FFC Environmental Services Texas, LLC desires to do business in the City of Lancaster. A street use fee of ten percent (10%) of the gross revenue collected from customers within the City limits by FFC Environmental Services Texas, LLC will be remitted to the city on a monthly basis.

FFC Environmental Services Texas, LLC provides hauling of commercial and industrial recycling. This franchise will allow them to do business in the City of Lancaster for a period of five years, unless the franchise is canceled. In addition, FFC Environmental Services Texas, LLC agrees to carry certain insurance policies for worker's compensation, automobile and public liability in which the City shall be named as additional insured.

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.

This is the first reading of this franchise application. The second reading and consideration will be at the next scheduled City Council regular meeting on March 8, 2021.

City Manager Mauldin-Jones read the first reading: An Ordinance of the City of Lancaster, Texas, granting to FFC Environmental Services Texas, LLC, its successors and assigns, the right, privilege, and franchise for the term of five (5) years to use the public streets, highways, or thoroughfares within the city for the purpose of engaging in the business of collecting and transporting solid waste and recyclable materials from commercial and industrial premises and development projects within the city; providing a street use fee; providing insurance requirements; providing for cancellation upon thirty (30) day written notice; providing for delays; providing for notices; providing for assignment by written approval of the city; providing a severability clause; and providing an effective date.

**6. Discuss and consider a resolution waiving certain permit fees related to the 2021 Winter Storm Disaster Declaration.**

City Manager Mauldin-Jones shared on February 12, 2021, Governor Greg Abbot issued a Disaster Declaration for political subdivisions within Texas and Dallas County Judge Clay Jenkins also issued a local Disaster Declaration on February 15, 2021, as a result of the winter snow and ice storm; and the prolonged freezing temperatures. This unprecedented inclement weather has caused extensive damage to personal property related to bursting water pipes from these freezing temperatures. The Lancaster Code of Ordinances, Chapter 6 Section 6.04.202, requires that the fees for all plumbing work be established by resolution of the governing body. The City's plumbing fees are therefore established in the adopted Master Fee Schedule in Article 3.000 Building Related Fees. Temporarily waiving these adopted fees requires approval of a resolution by the City Council.

To facilitate and expedite the increasing number of plumbing repairs, relaxing the City's established and routine plumbing requirements concerning permit fees and inspections during this declared disaster. Doing so, will provide economic relief to property owners, while these expedited repairs will also ensure a faster restoration of service for customers. For the city's process, all plumbers will be required to register as a contractor and obtain permits for any repair work. However, the fees for the permitted repair work will be waived for a period of 60 days. To further relax the City's standard protocols, staff will accept emailed photos of repair work from plumbing contractors during this emergency period as well. The plumbing permit fee waiver and inspection protocols will be for a 60-day period.

City Manager Mauldin-Jones shared resolution revisions, as recommended by City Attorney Ritter, to read temporarily suspending a portion on the master fee schedule related to plumbing repair related permit fees. for a period not to exceed 60 days.

Councilmember Mejia shared his support for item 6 and encouraged Council and State Officials to start putting money in infrastructure.

Mayor Hairston shared the importance of prioritizing the quality of life.

Deputy Mayor Pro Tem Jaglowski shared the importance of staying informed and voicing the concerns at a State level.

**MOTION:** Councilmember Mejia made a motion, seconded by Mayor Pro Tem Hill to approve item 6 with the alternate language drafter by City Attorney Ritter. The vote was 7 for, 0 against.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Councilmember Mejia to adjourn. The vote was 7 for, 0 against.

The meeting was adjourned at 8:09 p.m.

**ATTEST:**

  
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Sorangel O. Arenas, City Secretary

**APPROVED:**

  
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Clyde C. Hairston, Mayor