

## MINUTES

## LANCASTER CITY COUNCIL REGULAR MEETING OF JUNE 28, 2021

The City Council of the City of Lancaster, Texas, met in a called Regular Meeting in the Council Chambers of City Hall on June 28, 2021, at 7:00 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  
Chris Youngman, Emergency Management Chief  
Dori Lee, Director of Human Resources  
Fabrice Kabona, Deputy City Manager  
Shane Shepard, Director of Economic Development  
Vicki Coleman, Director of Development Services  
Bryce Reed, Communications and Public Relations Coordinator  
Cheryl Womble, Administrative & Community Relations Supervisor  
Marcus Talton, Assistant Police Chief  
David T. Ritter, City Attorney  
Sorangel O. Arenas, City Secretary

**Call to Order:**

Mayor Hairston called the meeting to order at 8:02 p.m. on June 28, 2021.

**Invocation:**

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

**Pledge of Allegiance:**

Councilmember Mejia led the pledge of allegiance.

**Proclamations:**

Mayor Hairston read the Parks and Recreation Month proclamation.

**Public Testimony:**

Carey Neal, 211 N. Henry St. shared information regarding the 4<sup>th</sup> of July event.  
Amy Glover, 302 S. Dallas Ave. shared background on her situation regarding item 9.  
Jeremy Reed 204 S. Henry St. shared his opposition for item10.  
Letters read into the records:  
John Paulus, 527 S. Dallas Ave. asked to record support for item10.  
Pam Baugher, 1531 W. Main St. asked to record opposition for item10.  
Georgia Kelly Fitzhugh, 119 S. Ellis St. asked to record opposition for item 10.  
Ken Arkwell, 119 S. Ellis St. asked to record opposition for item10.  
Ellen Clark, 954 Nokomis Rd. asked to record support for item10.  
Stephanie Rippe, 1708 S. Houston Rd. asked to record opposition for item10.  
Amber Wade, asked to record support for item10.

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Laurens Wiseman, 329 S. Dallas Ave. asked to record support for item10.  
Barbara Parks, asked to record opposition for item10.  
Michelle R. Washington, 402 N. Dallas Ave. asked to record opposition for item10.  
Shane and Sheilah Storch, asked to record opposition for item10.  
David Fifield and Paul Cummings, 515 S. Dallas Ave. asked to record opposition for item10.  
Mary Sykes, asked to record opposition for item10.  
Ally Godfrey, asked to record support for item10.  
Patricia Siegfroid-Giles, 954 Nokomis Rd. asked to record opposition for item10.  
Russell Webb, asked to record support for item10.  
Gilles and Meredith Delaisse, 441 S. Dallas Ave. asked to record support for item10.  
Russell Webb, asked to record support for item10.  
Barbara Rushing, asked to record opposition for item10.  
Lindsey Lanier, 329 S. Dallas Ave. asked to record support for item 10.

### Consent:

1. **Consider approval of minutes from the City Council Joint Special Meeting held on April 29, 2021.**
2. **Consider a resolution designating representatives of the City of Lancaster authorized to transmit and withdraw funds and take all other actions deemed necessary or appropriate for the investment of local funds in TexPool/TexPool Prime; providing for the addition and deletion of an authorized representative.**

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro-Tem Jaglowski to approve Consent items 1-2. The vote was cast 7 for, 0 against.

### Public Hearing:

3. **M21-22 Conduct a public hearing and consider an ordinance amending to Section 14.402 Use Standards, (k) Utilities, Communications & Transportation related to:**
  1. **The maximum number of antennas allowed;**
  2. **Standards associated with the Specific Use Permit and the district height;**
  3. **Establishing setback standards related to antennas and residential property lines and dwellings.**

City Manager Mauldin-Jones shared the Lancaster Development Code (LDC) defines antenna as "means a device or apparatus consisting of one or more wires, rods, dish or panels arranged to send and receive radio, television, electromagnetic or microwave signals. For purposes of this section, several antenna components may be assembled to perform a single function for a single operator and may be considered one (1) antenna". Currently, Section 14.402 Use Standards, (k) Utilities, Communications & Transportation C. 8 and D. 7 of the LDC limits antennas to no more than three (3) separate antennas with three (3) equipment buildings on a single lot or structure. The limitation on the number of antennas has resulted in several requests for increased number of antennas. On May 23, 2021, a notice for this public hearing appeared in the Focus Daily Newspaper. There were no letters in opposition or support received for this request. At their June 17, 2021 Special Meeting, the Planning and Zoning Commission recommended approval of an amendment to Section 14.402 Use Standards, (k) Utilities, Communications and Transportation related to 1) remove the maximum number of antennas allowed; 2) Set Specific Use Permit standards and the district height; and 3) establishing setback standards related to antennas and residential property lines and dwellings. Staff concurs with the Planning and Zoning Commission.

Mayor Hairston opened the public hearing.

There were no speakers.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro-Tem Jaglowski to close the public hearing. The vote was cast 7 for, 0 against.

**MOTION:** Councilmember Mejia made a motion, seconded by Mayor Pro-Tem Hill to approve item 3. The vote was cast 7 for, 0 against.

**4. M21-23 Conduct a public hearing and consider an ordinance amending to Section 14.500(i) (Chart of District Development Standards) of the Lancaster Development Code (LDC) related to industrial building heights.**

City Manager Mauldin-Jones shared Section 14.500(i) of the LDC allows a maximum height of 35 feet for industrial buildings as shown on the attached District Development Standards. Due to market and technological trends; the City has received requests for increased industrial building height ranging from 49 feet to 115 feet. On May 23, 2021, a notice for this public hearing appeared in the Focus Daily Newspaper. There were no letters in opposition or support for this request. At their June 17, 2021 Special Meeting, the Planning and Zoning Commission recommended approval of an amendment to Section 14.500(i) (Chart of District Development Standards) of the Lancaster Development Code increasing the maximum height of industrial buildings of LI and MI zoning districts to a maximum of 65 feet. Staff concurs with the Planning and Zoning Commission.

Deputy Mayor Pro-Tem Jaglowski shared his gratitude to staff for the work done.

Mayor Hairston opened the public hearing.

There were no speakers.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro-Tem Jaglowski to close the public hearing. The vote was cast 7 for, 0 against.

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

**5. Z21-10 Conduct a public hearing and consider an ordinance granting a Specific Use Permit (SUP) for a 100-foot antenna on the property addressed as 3712 Waters Street located on the east side of Waters Street and approximately 1,000 feet north of Daniieldale Road. The property is further described as a tract of land situated in the Silas B. Runyon Survey Abstract No. 1199 Pg. 180, City of Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones shared the property addressed as 3712 Waters Street located on the east side of Waters Street and approximately 1,000 feet north of Daniieldale Road. The property is approximately 1,000 feet north of Daniieldale Road. The property is approximately 0.4223 acre in size. The Future Land Use Plan of the Comprehensive Plan identifies the subject property as Logistics and Distribution. Antennas are not listed as one of the primary land uses permitted in this designation and the proposed use is not consistent with the Future Land Use Plan. However, the proposed use is a needful infrastructure. The applicant is requesting a SUP to replace the current 50 feet antenna with a 100 feet antenna on the property. The revised site and elevation plans provided by the applicant shows a fall zone of 45 feet; the fall zone is within the property where the antenna will be installed. The proposed antenna will be a 100 feet guyed tower that will fall in less than 45 feet radius and within the subject 0.4223 acres tract with space remaining between the fall zone and the property line. As such, the increased height

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request will not be detrimental and/or injurious to the safety of the neighboring properties particularly the residential property to the south. In the event of extreme conditions, the antenna will fall within the subject property limits. These noted changes made by the applicant to the proposed tower construction material, meets the Planning and Zoning Commission June 1, 2021, recommendation for a tower that would collapse in place or fall within the subject property; as shown on the attached "Exhibit A". Therefore, staff recommends approval of the SUP for 100-foot antenna as requested. On May 17, 2021, a notice for this public hearing appeared in the Focus Daily Newspaper. Staff also mailed notifications of this public hearing to all of the 13 property owners that are within 200-feet of the subject site. At their June 1, 2021 meeting, the Planning and Zoning Commission recommended that the applicant construct a tower with materials that allow the tower to collapse in place for the safety of neighboring properties. Since June 1, 2021 Planning & Zoning Commission meeting, the applicant made changes to the plan and will install a guyed tower that falls within the subject property with room outside the fall zone but within the 0.422 acre tract; making it safe for the neighboring properties to the north and south as shown on the attached 'Exhibit A". Therefore, staff recommended approval of the SUP for 100 feet antenna as requested, by the applicant amended plan.

Mayor Hairston opened the public hearing.

There were no speakers.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Mayor Pro-Tem Hill to close the public hearing. The vote was cast 7 for, 0 against.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro-Tem Jaglowski to approve item 5. The vote was cast 7 for, 0 against.

### **6. Conduct a public hearing and consider an ordinance approving the Water and Wastewater Master Plan.**

City Manager Mauldin-Jones shared the ordinance is to approve the Water and Wastewater Master Plan. In November 2017, the City Council approved a contract with Freese and Nichols, Inc. for professional services to update the City's water and wastewater master plan. The plan was originally adopted in 1994 and the most recent update of the Water and Wastewater plan was 2012. The Water and Wastewater Plan provides guidance on the projected needs of the City's water and wastewater systems through 2045. Staff recommended approval of the Water and Wastewater Master Plan.

Mayor Hairston opened the public hearing.

There were no speakers.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro-Tem Jaglowski to close the public hearing. The vote was cast 7 for, 0 against.

**MOTION:** Deputy Mayor Pro-Tem Jaglowski made a motion, seconded by Councilmember Strain-Burk to approve item 6. The vote was cast 7 for, 0 against.

### **Action:**

- 7. M21-17 Discuss and consider a resolution accepting two (2) water line easements (a 450 square feet or 0.010 acre) water easement, and a (225 square feet or 0.005 acre) water easement from DSV Real Estate Dallas Inc., (Grantor), to the City of Lancaster (City) for the installation, construction, operation, maintenance, replacement, repair, upgrade and/or**

**removal of a waterline and all necessary or desirable structures, facilities and appurtenances necessary to provide a secondary and separate connection to the City water system; establishing conditions, providing for the furnishing of certified copy of this resolution for recording in the property records of Dallas County, Texas as a deed.**

City Manager Mauldin-Jones shared this is a request for two (2) water line easements to serve Lots 1 and 2, Block B for Midpoint Logistics Center 2. The properties to be served by these lines consists of 62.500 acres and are located at the north east corner of Dizzy Dean Drive and Telephone Road. Staff recommended approval of the resolution, as presented.

**MOTION:** Mayor Pro-Tem Hill made a motion, seconded by Councilmember Gooden-Davis to approve item 7. The vote was cast 7 for, 0 against.

- 8. M21-19 Discuss and consider a resolution accepting two (2) water line easements (a 384 square feet or 0.009 acre) water easement and a (638 square feet or 0.015 acre) water easement from RW Dallas Midpoint I Owner, LLC, (Grantor), to the City of Lancaster (City) for the installation, construction, operation, maintenance, replacement, repair, upgrade and/or removal of a waterline and all necessary or desirable structures, facilities and appurtenances necessary to provide a secondary and separate connection to the City water system; establishing conditions, providing for the furnishing of certified copy of this resolution for recording in the property records of Dallas County, Texas as a deed.**

City Manager Mauldin-Jones shared this is a request for two (2) water line easements to serve Lot 3, Block B for Midpoint Logistics Center 2. The property to be served by this line consists of 26.650 acres and is located approximately 1,000 feet north of Telephone Road and west of North Dallas Avenue from RW Dallas Midpoint I Owner, LLC. The resolution has been reviewed and approved as to form by the City Attorney.

**MOTION:** Mayor Pro-Tem Hill made a motion, seconded by Councilmember Wheaton to approve item 8. The vote was cast 7 for, 0 against.

- 9. Discuss and consider declaring a certain board, commission or committee position(s) vacant due to excessive absences.**

City Secretary Arenas shared City Council adopted Ordinance 2018-12-53 for all City Boards, Commissions and Committees, Section 5.01.001 Board and Commission appointments, terms, removal and meetings, Subsection (g) states "Three (3) consecutive absences, or a total of five (5) absences within a twelve-month period shall cause the City Council to consider removal of the board or commission member". A review of the attendance records indicates that Amy Glover did not meet attendance standards. This matter is solely at Council's pleasure.

Councilmember Gooden-Davis shared due to Covid19 and the circumstances we should consider not removing Ms. Glover.

Councilmember Strain-Burk shared due to this being unprecedented time, Council should consider not removing Ms. Glover.

**MOTION:** Councilmember Wheaton made a motion to keep Amy Glover in her current position, seconded by Councilmember Strain-Burk to deny item 9. The vote was cast 7 for, 0 against.

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**10. Discuss and take action on issuance of RFQ/RFP standards for professional consulting services regarding amending, repealing, or updating the Downtown Design District overlay.**

Councilmember Mejia recused himself from item 10.

City Manager Mauldin-Jones shared as prescribed in the City Council Rules and Procedures as amended November 2020, Section D. City Council Agenda Process, Subsection 1.b, Councilmember Carol Strain-Burk requested that an item be included on a City Council work session for the purpose of discussing the Downtown Design District. City Council discussed this item at the June 21, 2021, work session and this item is a result of that discussion.

**MOTION:** Councilmember Wheaton made a motion, seconded by Councilmember Gooden-Davis to table item 10 to October. The vote was cast 4 for, 2 against. [Strain-Burk and Jaglowski] [Mejia recused]

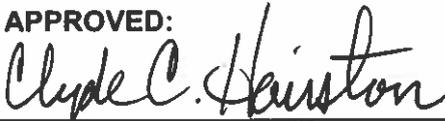
**MOTION:** Councilmember Strain-Burk made a motion, seconded by Councilmember Wheaton to adjourn. The vote was cast 7 for, 0 against.

The meeting was adjourned at 9:42 p.m.

**ATTEST:**

  
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Sorangel O. Arenas, City Secretary

**APPROVED:**

  
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Clyde C. Hairston, Mayor