

## MINUTES

### LANCASTER CITY COUNCIL MEETING OF APRIL 23, 2012

The City Council of the City of Lancaster, Texas, met in Regular session in the Council Chambers of City Hall on April 23, 2012 at 7:00 p.m. with a quorum present to-wit:

#### **Councilmembers Present:**

Mayor Marcus E. Knight  
Walter Weaver  
Stanley Jaglowski  
Marco Mejia  
Mayor Pro Tem James Daniels  
Deputy Mayor Pro Tem Nina Morris  
*Council District 5 vacant*

#### **City Staff Present:**

Opal Mauldin Robertson, City Manager  
Alicia Oyedele, Assistant to the City Manager  
Ed Brady, Economic Development Director  
Dori Lee, Human Resources Director  
Larry Flatt, Police Chief  
Thomas Griffith, Fire Chief  
Rona Stringfellow Govan, Managing Director Public Works / Development Services  
Jim Brewer, Assistant Director Public Works / Development Services  
Larry King, Building Official  
Nathaniel Barnett, Senior Planner  
Sheree Haynes, Finance Director  
Cami Loucks, Library Director  
Kevin Moore, Recreation Superintendent  
Mark Divita, Airport Manager  
Dolle Downe, City Secretary  
Robert E. Hager, City Attorney

#### **Call to Order:**

Mayor Knight called the meeting to order at 7:00 p.m. on April 23, 2012.

#### **Invocation:**

Pastor Charles Dixon with First Baptist Church gave the invocation.

#### **Pledge of Allegiance:**

Deputy Mayor Pro Tem Morris led the pledge of allegiance.

#### **Presentation:**

Mayor Knight read and presented a proclamation to the American Red Cross and expressed the City's appreciation for their assistance during natural disasters and particularly for their role in our community during the tornado. American Red Cross representatives thanked the Mayor and the City for the way the City came together to help those in need.

**Citizens Comments:**

Carolyn Morris, 887 Wintergreen, stated that with regard to consent item 5, she would like to see the person's name that is in violation of the attendance policy, stating that she had requested to be on a City board and to date has not heard anything about the board; stated the City did a great job following the tornado and area is clean especially in the alleyways; stated that homeowners she talked with are pleased with the City's efforts and thanked staff and other responders.

James Adams, 2003 Hash Road, stated that he lives in unincorporated Dallas County in an area that the City plans to annex; commented that City Council's disdain and disregard for the law is now killing people; indicated that he has said repeatedly that the City cannot afford to take in additional land but the City did and since the County no longer takes care of the roads, the roads are in disrepair; stated that over the Easter weekend there was a horrible accident and death; stated that the City is responsible for the roads and did not take care of them; asked what other Lancaster citizens might say if they knew residents in the newly annexed area were getting trash service free and that the City went around the law and is threatening the trash provider that was providing service; stated the Council has blatant disregard for the law and urged Council to re-evaluate what is going on.

Ronnie Lowe, 124 Martin Drive, Director of Lancaster Outreach Center; said thank you for the assistance during the tornado; commented that all the agencies working with the City made positive comments about the City and how well organized and seamless the disaster processes were; commended the City for their action; stated the Outreach Center has set up a special account for tornado disaster relief with approximately \$37,000 in funds; thanked City staff for their assistance during the disaster.

James Lewis, 818 Katy Street, commented that hearing about the accident and death touches his heart; commented that the City has treated him poorly and bullying in the City has got to stop; stated that the City had bulldozed his property and continues to bully people; said that Council can fix these things and in particular the no parking issue on Jefferson; stated that the bullying must stop.

Thomas Allen, 200 N. Crest, commented that following the 1994 tornado, the City set up an overlay and moratorium that would allow the homeowner to put back the same footprint of their home for a time period of 180 days as long as it met safety codes; suggested that the same may be necessary this time, as it may be the only chance for some to rebuild their homes and their lives.

Stanley Jaglowski, 112 Cayman Drive, stated that in the few weeks since the tornado he would like to share his findings, commenting that first and foremost, Chief Griffith's execution of the Emergency Operations Plan was excellent due to his diligence and practice drills; said that the Emergency Operations Center (EOC) ran smoothly throughout the disaster period; stated that numerous neighboring cities assisted through mutual aid agreements; thanked the Dallas County Sheriff's Department and noted that the media did not report that no Lancaster residents were arrested in the affected area; thanked the Lancaster I.S.D. for their help by providing a facility in which to operate the Disaster Assistance Center; stated that "L" stands for Lancaster, Leadership, Loyalty, and Longevity; ended saying he was keeping all in his prayers.

City Council Meeting  
 April 23, 2012  
 Page 3 of 5

**Consent Agenda:**

City Secretary Downe read the consent agenda.

- 1C. Consider approval of minutes from the City Council Regular Meeting held March 26, 2012 and Emergency Meeting held April 3, 2012.
- 2C. Consider Resolution 2012-04-32 canceling the regular City Council meetings scheduled for May 14 and 28, 2012; and providing for a called Special Meeting on May 21, 2012.
- 3C. Consider Resolution 2012-04-33 approving the terms and conditions of the City owned T-Hangar non-commercial lease from Building 680 at the Lancaster Regional Airport.
- 4C. Consider Resolution 2012-04-34 awarding Bid 2012-22 for T-Hangar 660 and 670 roof replacements to Covenant Design & Construction, LLC in an amount not to exceed \$57,182.
- 5C. Consider Resolution 2012-04-35 declaring certain board, commission, and committee position(s) vacant due to excessive absences.

Deputy Mayor Pro Tem Morris pulled item 5C from the consent agenda.

**MOTION:** Mayor Pro Tem Daniels made a motion, seconded by Deputy Mayor Pro Tem Morris, to approve consent items 1C – 4C. The vote was cast 6 for, 0 against.

Deputy Mayor Pro Tem Morris commented that attendance records for City boards and commission are public records.

**MOTION:** Deputy Mayor Pro Tem Morris made a motion, seconded by Mayor Pro Tem Daniels, to approve Resolution 2012-04-35 declaring certain board, commission, and committee position(s) vacant due to excessive absences [consent item #5C]. The vote was cast 6 for, 0 against.

- 6. Conduct a public hearing and consider Resolution 2012-04-36 approving the 2012-2013 Standards of Care for Youth Programs operated by the Lancaster Parks and Recreation Department.

Kevin Moore, Recreation Superintendent, stated that updated Standards of Care are required each year under Chapter 42 of the Human Resources Code and noted that following thorough review, there were no significant changes required to the Standards for this year.

Deputy Mayor Pro Tem Morris commented that the Parks and Recreation Department is doing a great job with the summer camp program.

Mayor Knight opened the public hearing.

There were no speakers regarding the 2012-2013 Standards of Care for Youth Programs.

**MOTION:** Deputy Mayor Pro Tem Morris made a motion, seconded by Mayor Pro Tem Daniels, to close the public hearing and approve Resolution 2012-04-36 approving the 2012-2013 Standards of Care for Youth Programs operated by the Lancaster Parks and Recreation Department as presented. The vote was cast 6 for, 0 against.

**7. Conduct a public hearing regarding use of allocated funds under the Fiscal Year 2012 Dallas County Community Development Block Grant (CDBG) program.**

City Manager Mauldin Robertson stated Lancaster is eligible to receive \$105,679 in Community Development Block Grant (CDBG) funds for fiscal year 2012, commenting that it will be staff's recommendation to use the funds for roadway improvements.

Mayor Pro Tem Daniels asked how the funds have been used in the past. City Manager Mauldin Robertson commented that for the past three years funds have been used for road repairs.

Councilmember Mejia asked that the focus for street repairs be on Henry and 7<sup>th</sup> Streets. City Manager Mauldin Robertson stated that eligible, recommended streets would be presented at the Council work session on May 7, 2012.

Mayor Knight opened the public hearing.

Speaking regarding use of CDBG funds were:

James Adams, 2003 Hash Road, asked that Council consider repairing streets in the newly annexed area, noting that the only attention streets have received in the annexed area was when the Bike Rally event was held; commented that Nokomis, Reindeer, and Stainback, among others, were all in need of repair.

Ronnie Lowe, 124 Martin Drive, called but declined the opportunity to speak.

There were no other speakers regarding use of the CDBG funds for fiscal year 2012.

**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.

**8. Discuss and consider Resolution 2012-04-37 establishing the reappraisal of certain real property located within the corporate limits of the City which was damaged as a result of severe storms and tornado; providing authorization to reappraise such damage to real property; providing for reappraisal; and providing for proration of taxes as a result of natural disaster.**

City Manager Mauldin Robertson stated that under the Texas Property Tax Code, a reappraisal district, following approval by the governing body, could reappraise homes in a disaster area and provide for prorating of taxes on the property for the year in which the disaster occurred. City Manager Mauldin Robertson stated that Dallas County had approved this action and the Lancaster I.S.D. would consider the matter soon.

City Council Meeting  
April 23, 2012  
Page 5 of 5

Deputy Mayor Pro Tem Morris asked if this would result in reduced taxes. City Manager Mauldin Robertson commented that homes in the affected area may be reappraised for this current tax year resulting in decreased property taxes.

**MOTION:** Mayor Pro Tem Daniels made a motion, seconded by Councilmember Mejia, to approve Resolution 2012-04-37 establishing the reappraisal of certain real property located within the corporate limits of the City which was damaged as a result of severe storms and tornado. The vote was cast 6 for, 0 against.

**EXECUTIVE SESSION:**

At 7:40 p.m. Council recessed to go into Executive Session. At 7:42 p.m. the City Council convened into closed Executive Session pursuant to:

9. **The City Council shall convene into closed executive session pursuant to Section § 551.071 (1) of the TEXAS GOVERNMENT CODE to consult with the City Attorney to seek legal advice on pending litigation and/or settlement concerning Cause No. 11-10174 Con-Way Truckload, Inc. vs. the City of Lancaster.**
10. **Reconvene into open session. Consider and take appropriate action(s), if any, on closed/executive session matters.**

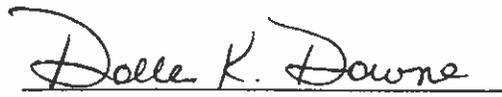
The City Council recessed from Executive Session at 8:26 p.m. and convened into open session at 8:28 p.m.

No action was taken following the Executive Session.

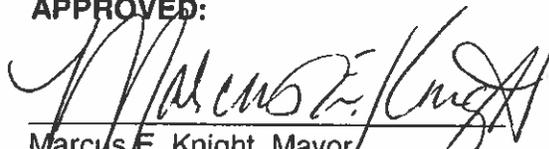
**MOTION:** Mayor Pro Tem Daniels made a motion, seconded by Councilmember Mejia, to adjourn. The vote was cast 6 for, 0 against.

The meeting was adjourned at 8:29 p.m.

**ATTEST:**

  
Dolle K. Downe, City Secretary

**APPROVED:**

  
Marcus E. Knight, Mayor