

**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF GLENN HEIGHTS, TEXAS**

DECEMBER 1, 2015

STATE OF TEXAS *
COUNTIES OF DALLAS AND ELLIS *
CITY OF GLENN HEIGHTS *

On the 1st day of December, 2015 the City Council of the City of Glenn Heights met in a regular meeting at the Glenn Heights City Hall in Glenn Heights, Texas located at 1938 S. Hampton Road with the following members present:

CITY COUNCIL:

Leon Tate	*	Mayor
Sidney Davis	*	Council Member
Tony Bradley	*	Mayor Pro Tem
Emma Ipaye	*	Council Member
Harry Garrett	*	Council Member
Glenn George	*	Council Member

STAFF:

Aretha Ferrell-Benavides	*	City Manager
David Hall	*	Managing Director
Othel Murphree	*	City Secretary
Phillip Prasifka	*	Chief of Police
Lakeita Sutton	*	Director of Finance
Kacye Harvey	*	Organizational Development
Jeremy Tennant	*	Senior Planner
Larry Pennington	*	Utilities Superintendent
Lauren Gray	*	Community Engagement

CONSULTANT:

Whitt Wyatt	*	Office of the City Attorney
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ABSENT: Ron Adams * Council Member

Mayor Tate called the meeting to order at 7:51 p.m.

INVOCATION: Pastor Loller gave the invocation.

PUBLIC COMMENT: None

PROCLAMATIONS: PEARL HARBOR
HANUKKAH

CONSENT AGENDA

1. Approve the City of Glenn Heights City Council Minutes of November 11, 2015, and November 16, 2015.

Mayor Pro Tem Bradley moved to approve the minutes of November 11, 2015, and November 16, 2015. Mayor Tate made the second. The motion carried with the following vote:

VOTE: 6 Ayes – Davis, Bradley, Ipaye, Tate, Garrett, and George

AGENDA

2. Discuss and consider taking action on Resolution R-30-15 casting the City of Glenn Heights' vote for the fourth Member of the Board of Directors of the Dallas Central Appraisal District.

The Property Tax Code requires that the Chief Appraiser conduct an election for the purpose of selecting representatives to the Board of Directors of the Dallas Central Appraisal District every two years.

The 1979 resolution adopted by the taxing units participating in Dallas Central Appraisal District, which governs board elections, requires that a candidate receive a majority of the votes in order to be elected to the Board of Directors. Therefore it is imperative that your taxing unit cast its vote. If you chose to abstain from voting staff must notify the Chief Appraiser.

The nominees are as follows. Also included are the names of the nominating cities.

<u>Nominee</u>	<u>Entity(s) Nominating</u>
Mr. Loren Byers	Irving
Mr. Blake Clemens	Addison and Carrollton
Mr. Steven Gorwood	Balch Springs
Mr. Michael Hurtt	Cedar Hill, DeSoto, Farmers Branch, Ovilla, Richardson and Sachse

Each entity by state law is required to vote by official ballot resolution. Ballots must be submitted to the Chief Appraiser before December 15, 2015. If you choose to abstain from voting we must notify the Appraisal District.

Mayor Pro Tem Bradley moved to approve Resolution R-30-15 casting the City of Glenn Heights' vote for the fourth Member of the Board of Directors of the Dallas Central Appraisal District to Michael Hurtt. Councilman George made the second. The motion carried with the following vote:

VOTE: 6 Ayes – Davis, Bradley, Ipaye, Tate, Garrett, and George

3. Discuss and consider taking action on Resolution R-31-15 casting the City of Glenn Heights' votes for the six positions on the Board of Directors of the Ellis County Appraisal District.

The City of Glenn Heights has 19 votes to cast for the six positions on the Board of Directors of the Ellis County Appraisal District and may cast all for one candidate or distribute as the Council chooses.

Candidates

C. T. "Tom" Abram	John Bridges
Tommy Hamilton	Phillip Lynch
Ken Marks	Joe Pitts

Councilman Garrett moved to approve Resolution R-31-15 casting the City of Glenn Heights' 19 votes for the Board of Directors of the Ellis County Appraisal District as follows:

Candidates	Votes
C. T. "Tom" Abram	3
John Bridges	4
Tommy Hamilton	3
Phillip Lynch	3
Ken Marks	3
Joe Pitts	3

Mayor Tate made the second. The motion carried with the following vote:

VOTE: 6 Ayes – Davis, Bradley, Ipaye, Tate, Garrett, and George

4. Public Hearing to receive testimony relative to a request for a Special Use Permit (SUP) by SDI 201 E. Ovilla Real Estate, LTD dba Sonic Drive In, at 201 E. Ovilla Road, Ordinance O-19-15 amending the zoning ordinance and map of the City of Glenn Heights, Texas, by granting a change in zoning by granting a specific use permit ("SUP") to allow for a drive-thru lane expansion at an existing Sonic Drive-In restaurant, located on approximately .65 acres of land, currently zoned retail ("R"), located at 201 East Ovilla Road, Glenn Heights, Texas. **Zoning Docket 08-15**

Mayor Pro Tem Bradley moved to open the public hearing. Mayor Tate made the second. The motion carried with the following vote:

VOTE: 6 Ayes – Davis, Bradley, Ipaye, Tate, Garrett, and George

Mayor Tate open the public hearing at 7:22 p.m.

There being no testimony Mayor Pro Tem Bradley moved to close the public hearing. Councilman George made the second. The motion carried with the following vote:

VOTE: 6 Ayes – Davis, Bradley, Ipaye, Tate, Garrett, and George

Mayor Tate closed the public hearing at 7:24 p.m.

5. Discuss and consider taking action on Ordinance O-19-15 amending the zoning ordinance and map of the City of Glenn Heights, by granting a change in zoning by granting a Specific Use Permit (SUP) to allow for a drive-thru lane expansion at an existing Sonic Drive-In restaurant, located on approximately .65 acres of land, currently zoned retail (R) located at 201 East Ovilla Road, Glenn Heights, Texas. **Zoning Docket 08-15 (First Reading)**

The City Planner briefed the Council on the application. David Murry the Architect on the Project and Brett Hess spoke on the behalf of the property owner and were available for questions.

Mayor Pro Tem Bradley moved to approve Ordinance O-19-15 amending the zoning ordinance and map of the City of Glenn Heights, by granting a change in zoning by granting a Specific Use Permit (SUP) to allow for a drive-thru lane expansion at an existing Sonic Drive-In restaurant, located on approximately .65 acres of land, currently zoned retail (R) located at 201 East Ovilla Road, Glenn Heights, Texas. Mayor Tate made the second. The motion carried with the following vote:

VOTE: 6 Ayes – Davis, Bradley, Ipaye, Tate, Garrett, and George

6. Discuss and consider taking action on Ordinance O-15-15 amending Article XIX, Basic Definitions and Interpretations of the Zoning Ordinance creating a new definition of "Vapor Shops" and Article XI, Section 1 Use Charts requiring that "Vapor Shops" within the R Retail District obtain a Specific Use Permit. (Final Decision following second reading)

Mayor Pro Tem Bradley moved to approve Ordinance O-15-15 amending Article XIX, Basic Definitions and Interpretations of the Zoning Ordinance creating a new definition of "Vapor Shops" and Article XI, Section 1 Use Charts requiring that "Vapor Shops" within the R Retail District obtain a Specific Use Permit. Councilman George made the second. The motion carried with the following vote:

VOTE: 6 Ayes – Davis, Bradley, Ipaye, Tate, Garrett, and George

7. Discuss and consider taking action on Ordinance O-18-15 amending the Code of Ordinances, Chapter 8, Article 8.06 and 8.07, providing definitions for e-cigarettes, liquid nicotine and public areas; providing for the posting of "No-Smoking" signs in public areas.

Mayor Pro Tem Bradley moved to approve Ordinance O-18-15 amending the Code of Ordinances, Chapter 8, Article 8.06 and 8.07, providing definitions for e-cigarettes, liquid nicotine and public areas; providing for the posting of "No-Smoking" signs in public areas and a change that would not allow any smoking of any kind within 50 feet of any public building or public area including city facilities. Mayor Tate made the second. The motion carried with the following vote:

VOTE: 6 Ayes – Davis, Bradley, Ipaye, Tate, Garrett, and George

8. Discuss and consider taking action on Ordinance O-16-15 request by HOB Properties, LLC for a Planned Development (Charleston Village). The property is presently zoned SF-1 Single Family Residential and the request is to allow a Planned Development (Charleston Village) for a mixed range of residential uses within a subdivision consisting of 119 Garden/Patio lots ranging from 3150-5499 sq. ft.; 128 Village lots ranging from 5500-6999 sq. ft.; 76 Neighborhood lots ranging from 7000-8999 sq. ft.; and 34 Manor lots ranging from 9000-16500 sq. ft.; totaling 357 lots at 2506 Hampton Road. (Second Reading)

Mayor Pro Tem Bradley moved to approve Ordinance O-16-15 request by HOB Properties, LLC for a Planned Development (Charleston Village) consisting of no more than 325 residential lots and a neighborhood Retail service area being approximately +/- 8.43 acres. Mayor Tate made the second. The motion carried with the following vote:

VOTE: 6 Ayes – Davis, Bradley, Ipaye, Tate, Garrett, and George

9. Discuss and consider five (5) new full-time appointments to the Zoning Board of Adjustments (ZBA).

The Zoning Board of Adjustments consist of five (5) full-time members and four (4) alternate positions. The City Council is being asked to consider five (5) new full-time appointments to the Board.

Mayor Tate moved to appoint the following applicants to serve on the Zoning Board of Adjustments:

Place 1	David Ward for a 3 year term
Place 2	Jeffery Young for a 2 year term
Place 3	Tammy Clark for a 3 year term
Place 4	Rody Wagner for a 2 year term
Place 5	Shelby Gooden for a 3 year term

Mayor Pro Tem Bradley made the second. The motion carried with the following vote:

VOTE: 6 Ayes – Davis, Bradley, Ipaye, Tate, Garrett, and George

10. Discuss and consider a Special City Council meeting for December 8, 2015. (requested by Mayor Tate)

Mayor Tate moved to approve a special meeting of the City Council on December 8, 2015 to start at 6:00 p.m. Mayor Pro Tem Bradley made the second. The motion carried with the following vote:

VOTE: **6** **Ayes – Davis, Bradley, Ipaye, Tate, Garrett, and George**

11. Discuss and consider taking action regarding City of Glenn Heights' City Hall construction plan and additional funding.

Councilman Garrett moved to transfer \$500,000 from the General Fund Reserve and \$500,000 from the Water & Sewer Fund Reserve to the City Hall Capital Improvement Fund. Mayor Tate made the second. The motion carried with the following vote:

VOTE: **6** **Ayes – Davis, Bradley, Ipaye, Tate, Garrett, and George**

12. Discuss and consider Ordinance O-27-12 establishing Rules of Order and Decorum for the City Council.

Removed from the agenda and rescheduled to the December 8, 2015 agenda.

13. Discuss a Glenn Heights Beautification Plan. (requested by Mayor Tate)

Mayor Tate led a brief discussion on a plan for the Beautification of the City. Some of the items discussed were:

- The entryway to the City (Bear Creek Road and the I35
- Expand the hours of the Convenience Station
- Top 10-15 blighted properties

David Hall, the Managing Director of Infrastructure and Development, introduced the new Code Enforcement Officer, Aaron "Chip"

14. Presentations:

- HR Personnel Status Update

The City Manager, Aretha Ferrell-Benavides, briefed the Council on the follow:

- Number of full time and Number of part-time employees
- Number of vacancies in each department
- Number of employees out on the injury list or sick leave

- Code Enforcement Challenges and introduction of new Code Enforcement

Officer and future plans

The Council was briefed on the lack of a Code Enforcement Officer and that any employee seeing a Code Violation had been reporting the violation to the Senior Planner. The new Code Enforcement Officer, Aaron Denman was introduced and he spoke briefly on how he planned on handling Code Enforcement in the City of Glenn Heights.

15. Project Update:

- Bear Creek Road minor overlay project with Dallas County

David Hall, the Managing Director of Infrastructure and Development, stated the repairs on Bear Creek Road were delayed because of the rain.

16. Workshop:

- Briefing and overview for establishing a Public Improvement District (PID) and/or a Tax Increment Financing District (TIF) in the City of Glenn Heights.

Removed from the agenda and rescheduled to the December 8, 2015 agenda.

The City of Glenn Heights Improvement Corporation meeting was rescheduled to September 8, 2015.

Mayor Pro Tem Bradley moved to extend the meeting to 10:15 p.m. Mayor Tate made the second. The motion was approved with the following vote:

VOTE: 6 Ayes – Davis, Bradley, Ipaye, Tate, Garrett, and George

EXECUTIVE SESSION and RESULTING ACTION:

17. The City Council shall convene into executive session pursuant to the Texas Government Code:

- a. Section 551.072 to deliberate the purchase, exchange, lease, or value of real property.
- b. Section 551.074(a) (1) to deliberate the appointment, employment, evaluation, reassignment, and duties of the City Manager including the City Manager's Work Plan.

Mayor Pro Tem Bradley moved to convene into executive session pursuant to the Texas Government Code, Section 551. 72 and 551.074(a)(1). Mayor Tate made the second. The motion carried with the following vote:

VOTE: 6 Ayes – Davis, Bradley, Ipaye, Tate, Garrett, and George

The City Council convened into an executive session at 9:48 p.m.

Mayor Tate moved to come out of the Executive Session. Councilwoman Ipaye made the second. The motion carried with the following vote:

VOTE: 6 **Ayes – Davis, Bradley, Ipaye, Tate, Garrett, and George**

c. Reconvene and consider any Official Action as a result of the Executive Session.

Mayor Tate called the meeting back to order at 10:15 p.m.

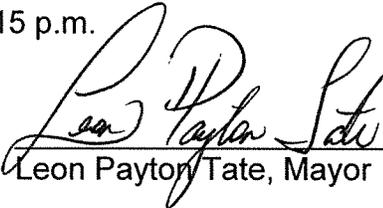
There was no action as a result of the Executive Session.

ADJOURNMENT

Mayor Tate moved to adjourn. Mayor Pro Tem Bradley made the second. The motion carried with the following vote:

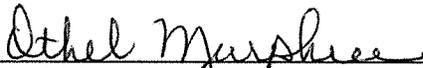
VOTE: 6 **Ayes – Davis, Bradley, Ipaye, Tate, Garrett, and George**

Mayor Tate adjourned the meeting at 10:15 p.m.



Leon Payton Tate, Mayor

Attest:



Othel Murphree, City Secretary

Passed and approved the 15th day of December, 2015.