

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

NOVEMBER 15, 2016

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

On the 15th day of November, 2016, 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 Payton Tate	*	Mayor
Tony Bradley	*	Mayor Pro Tem
Sidney Davis	*	Council Member
Emma Ipaye	*	Council Member
Ron Adams	*	Council Member
Harry Garrett	*	Council Member (7:07 p.m.)

ABSENT: Glenn George * Council Member

STAFF:

Aretha Ferrell-Benavides	*	City Manager
Janie Willman	*	City Secretary
Lakeita Sutton	*	Director of Finance
Eddie Burns	*	Fire Chief
Kacye Harvey	*	Director of Organizational Development
Jeremy Tennant	*	Director of Planning and Development Services
Phillip Prasifka	*	Police Chief
Charles Brewer	*	Director of Public Works and Infrastructure
Robert Floyd	*	Fiscal Officer
Keegan McDonald	*	Planner
Folakemi Osoba	*	Executive Assistant-City Manager

CONSULTANT:

Evan Fisher * City Attorney's Office

Mayor Tate called the meeting to order at 7:03 p.m.

INVOCATION: Pastor Alfrida McCoy, Harvest of Praise Ministry Church, delivered the invocation.

PLEDGE OF ALLEGIANCE: Mayor Tate led the assembly in the Pledge of Allegiance.

PUBLIC COMMENT: There were two speakers to address the City Council during Agenda Item 9-10.

PROCLAMATIONS

- Thanksgiving Day, November 24, 2016

CONSENT AGENDA

1. Consider Approval of the City of Glenn Heights City Council Minutes of the October 18, 2016 Regular City Council Meeting. City Secretary Willman asked that the City Council consider approving these minutes at the next Regular City Council Meeting in order to allow the City Council ample time to review the draft minutes.

Motion by Councilman Adams to approve Consent Agenda Items 2-6. Mayor Tate made the second. The motion carried with the following vote:

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

2. Consider Ordinance O-20-16, an Ordinance of the City Council of the City of Glenn Heights, Texas, Amending the Zoning Ordinance and Map of the City of Glenn Heights, as Heretofore Amended, by granting a change in Zoning by granting a Specific Use Permit (“SUP”) with Special Conditions to Allow for a Registered Day Care Business as an Accessory Use to the Existing Church Structure located at 1931 South Hampton Road, Glenn Heights, Dallas County, Texas, on Land presently Zoned Single-Family Residential District (“SF-1”), and Being More Particularly Depicted and Described in the Site Plan Attached Hereto as Exhibit “A”; Providing for the Approval of the Site Plan Attached Hereto as Exhibit “B”; Providing for the Approval of the Floor Plan Attached Hereto as Exhibit “C”; Providing for the Approval of the Landscape Plan Attached Hereto as Exhibit “D”; Providing a Repealing Clause; Providing a Severability Clause; Providing a Savings Clause; Providing a Penalty of Fines Not to Exceed the Sum of Two Thousand Dollars (\$2,000.00) for Each Offense; and Providing for an Effective Date. Zoning Docket 08-16. (Second Reading)
3. Consider Resolution R-37-16, a Resolution of the City of Glenn Heights authorizing renewal of an Interlocal Agreement for Participation in the City of Fort Worth’s Environmental Collection Center Household Hazardous Waste Program for Fiscal Year 2017.
4. Consider amending Resolution R-17-16, passed and approved by the City of Glenn Heights City Council on June 21, 2016, solely to correct a scrivener's error.
5. Acknowledge Report of Plat Approvals:
Villages at Charleston Phase 1 – Final Plat

6. Acknowledge Report: Confirming Fiscal Year 2015-2016 Audit Work Timeline.

AGENDA

7. Discuss and consider Ellis County Interlocal Cooperation Contracts.

Director of Public Works and Infrastructure Brewer introduced this agenda matter to the City Council. Following the explanation that Resolution R-38-16 proposes to allow the City Council to consider the renewal of an annual Interlocal Contract for the maintenance, repair, and or construction of streets, and other infrastructure projects, Mr. Brewer explained that following recent clarification of the City of Glenn Heights not being able to partner and use Ellis County's contractors for road projects based City Attorney Whitt Wyatt's opinion that a master interlocal cooperation and purchasing contract is required, and that is the reason for Resolution R-39-16. Following the City Council's focus points and questions as to whether what the City of Glenn Heights has been doing is illegal and asking Attorney Evan Fisher why other cities have been operating without a master interlocal cooperation and purchasing contract is required, Mr. Brewer and City Manager Benavides provided clarification that staff initially included a resolution with wording for both infrastructure and purchasing services. City Attorney Wyatt indicated that a combined resolution for both purposes would not work. Mr. Fisher indicated that absent having a master interlocal cooperation and purchasing contract would require the City of Glenn Heights to obtain bidding. Mr. Fisher indicated he is willing to speak with the Ellis County Attorney regarding the master interlocal purchasing contract. Ms. Benavides clarified that the Mayor, Mr. Wyatt, Mr. Brewer, and she had in fact conducted a conference call with Ellis County Commissioner Butler who indicated Ellis County prefers to continue its current course as it has worked for them to-date. The City Council asked about the impact of awaiting for this matter to be resolved on the City's infrastructure projects. Mr. Brewer clarified he is proceeding with developing an RFP to obtain vendor services related to the road projects. Ms. Benavides requested that the City Council consider both resolutions in the interim that a master interlocal cooperation and purchasing contract is prepared. Ms. Benavides confirmed she and the staff would continue working through the processes needed to resolve this matter should Ellis County not accept Resolution R-39-16.

- A. Discuss and consider Resolution R-38-16, a Resolution of the City Council of the City of Glenn Heights, Texas, Authorizing the City Manager to Execute an Interlocal Cooperation Contract with Ellis County for Maintenance, Repair and / or Construction of Streets, Roads, Alleys, Bridges, and Parking Areas, as well as the Maintenance and Construction of Waterways and Ditches; and Providing for an Effective Date.

Motion by Mayor Pro Tem Bradley to adopt Resolution R-38-16. Councilman Adams made the second. The motion carried with the following vote:

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

- B. Discuss and consider Resolution R-39-16, a Resolution of the City Council of the City of Glenn Heights, Texas, Approving and Authorizing the City Manager to Execute a Master Interlocal Cooperation and Purchasing Contract with Ellis County, Texas; and Providing for an Effective Date.

Motion by Councilman Adams to adopt Resolution R-39-16. Councilman Adams made the second. The motion carried with the following vote:

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

- 8. Discuss and consider scheduling for the following upcoming City Council Meeting dates:
 - A. Reschedule Tuesday, November 22, 2016 to Tuesday, November 29, 2016;
 - B. Reschedule Tuesday, December 20, 2016 to Tuesday, December 13, 2016.
 - C. Reschedule Tuesday, January 3, 2017 to Tuesday, January 10, 2017,
 - D. Confirm the meeting on Tuesday, January 17, 2017; and
 - E. Schedule a Special City Council Meeting on Tuesday, January 24, 2017.

Mayor Tate introduced this agenda matter to the City Council. City Manager Benavides informed the City Council that based on the movement of end of calendar year meetings to accommodate the Christmas and New Year holidays schedule, the need to kick-off the City Council business matters in 2017 with the introduction of the next fiscal year budgeting process, and continuance of the steps related to the City's visioning processes, that an additional meeting may be warranted on January 24. In order that the City Council may have adequate advance notice for considering personal schedules, the January 24 date was included so City Council may consider the date.

Councilman Adams informed the City Council he had a previous commitment and will be out of the country on January 24. Councilwoman Ipaye asked if it is proposed that the City Council begin having three City Council Meetings per month. Mayor Tate indicated that is not the intent of this evening's request for additional meeting on January 24, noting that these dates are proposed for the City Council's consideration.

Councilman Garrett suggested that the City Council consider approving the other dates and as the City approaches January 24, the City Council could consider that date. Mayor Pro Tem Bradley asked for clarification related to the need for a third meeting in order that the City Council's agendas are not overly packed with agenda items; with some recent agendas containing 20 agenda items for the City Council's consideration. He noted that he is favor of the three meetings in January. Ms. Benavides clarified that November 29 has been set aside as a Special Meeting to allow the City Council to convene for a swearing-in ceremony

of the recently elected Mayor and City Council Members, conduct a reception, and have the event at Curtistene McCowan Middle School so that City of Glenn Heights residents may attend in a larger meeting area.

Motion by Mayor Pro Tem Bradley to approve the meeting dates as indicated in items 8A-8E. Councilman Garrett made the second. The motion carried with the following vote:

VOTE: **5 Ayes** – Davis, Bradley, Tate, Adams, and Garrett
 1 Nay – Ipaye

9. Conduct a Public Hearing to receive testimony relative to a request for a Specific Use Permit (SUP) by Hampton Beverage, LP to amend an existing Ordinance, O-07-10, to allow a 40' x 30' addition totaling 1,200 sq. ft. to a structure that provides for the retail sale of off-site consumables and an additional driveway approach on approximately 0.7516 acres of land described as Lot 1, Block 1. The property is located at 1519 S. Hampton Road and presently zoned C Commercial. The request is to allow a 40' X 30' addition to an existing structure that provides for the retail sale of consumables and the construction of an additional driveway approach at the site, Lot 1, Block 1, in Glenn Heights, Dallas County, Texas. Zoning Docket 09-16.

Motion by Mayor Pro Tem Bradley to open the Public Hearing at 7:32 p.m. Councilman Adams made the second. The motion carried with the following vote:

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

Mayor Tate opened the Public Hearing at 7:32 p.m. He asked if the individuals who signed up to speak would come forward or preferred to wait until Agenda Item 10. It was indicated that the preference was to wait until Agenda Item 10. There being no speakers, the City Council considered action to close the Public Hearing.

Motion by Mayor Pro Tem Bradley to close the Public Hearing at 7:34 p.m. Councilman Adams made the second. The motion carried with the following vote:

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

Mayor Tate closed the Public Hearing at 7:34 p.m.

10. Discuss and Consider Ordinance O-21-16, An Ordinance of the City Council of the City Of Glenn Heights, Texas, Amending the Zoning Ordinance and Map of the City Of Glenn Heights, as Heretofore Amended, by Granting a Change in Zoning By Granting a Specific Use Permit (“SUP”) with Special Conditions to Allow a 40' X 30' Addition Totaling 1,200 Sq Ft to an Existing Structure that Provides for the Retail Sale of Off-Site Consumables and an Additional Driveway

Approach on Approximately 0.7516 Acres of Land Described as Lot 1, Block 1, Located at 1519 South Hampton Road, Glenn Heights, Dallas County, Texas, on Land Presently Zoned Commercial (“C”), and Proposing to Demolish a Vacant Building on site to Increase the Number of Parking Spaces; and Being More Particularly Depicted and Described in the Site Plan Attached Hereto as Exhibit “A”; Providing for the Approval of the Site Plan Attached Hereto as Exhibit “A”; Providing for the Approval of the Landscape Plan Attached Hereto as Exhibit “B”; Providing for the Approval of the Floor Plan Attached Hereto as Exhibit “C”; Providing a Repealing Clause; Providing a Severability Clause; Providing a Savings Clause; Providing a Penalty of Fine Not to Exceed the Sum of Two Thousand Dollars (\$2,000.00) for Each Offense; and Providing for an Effective Date. Zoning Docket 09-16. (First Reading)

City Planner McDonald introduced the details about this agenda matter to the City Council.

Arthur Lee Yeldell, 2115 Berwick, Dallas, contractor on behalf of the applicant addressed the City Council asking for favorable consideration.

Yusof Hakemy, 1519 South Hampton, Glenn Heights, the property owner, addressed the City Council asking for favorable consideration. He noted the business has security guards in place related to questions about traffic flow. He noted the business’ plan to add another off-duty police officer this year.

Following deliberation, the City Council considered action.

Motion by Mayor Pro Tem Bradley to approve Ordinance O-21-16 on the first reading to include the following provisos: a traffic monitor, traffic control during high volume, a traffic study, to see that the business meets the requirements required by the Ordinance adopted in 2010. Councilman Garrett made the second. The motion carried with the following vote:

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

11. Conduct a Public Hearing to receive testimony relative to a request by the City of Glenn Heights to allow a Planned Development. The property is currently zoned SF-1 Single Family Residential and the request is to allow for 15 acres of multi-family residential, 2 acres of commercial and 3 acres of open space, totaling 20 acres. The multifamily residential will consist of 270 units. The property is located along Hampton Road, M MC Dermott ABST 743, Ellis County, Texas. Zoning Docket 10-16.

Motion by Councilman Adams to open the Public Hearing at 8:08 p.m. Mayor Tate made the second. The motion carried with the following vote:

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

Mayor Tate opened the Public Hearing at 8:08 p.m. There being no speakers, the City Council considered action to close the Public Hearing.

Motion by Councilman Adams to close the Public Hearing at 8:08 p.m. Councilwoman Ipaye made the second. The motion carried with the following vote:

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

Mayor Tate closed the Public Hearing at 8:08 p.m.

12. Discuss and Consider Ordinance O-22-16, An Ordinance of the City Council of the City of Glenn Heights, Texas, Amending the Zoning Ordinance and Map of the City of Glenn Heights, As Heretofore Amended, by Granting a Change in Zoning from Single-Family Residential (SF-1) District to a Planned Development District (PD-20) for Approximately 20 Acres of Land, Located Along South Hampton Road, Glenn Heights, Ellis County, Texas, (The "Property"), and Being More Particularly Described and Depicted in Exhibit "A" Attached Hereto, for the Development of a Mixed Use Development Containing Two Hundred And Seventy (270) Units of a Luxury Multi-Family Residential, Commercial and Open Space Facility; Providing for the Approval of the Development Regulations Attached Hereto as Exhibit "B"; Providing a Repealing Clause; Providing a Severability Clause; Providing a Savings Clause; Providing for a Penalty of Fine Not to Exceed the Sum of Two Thousand Dollars (\$2,000.00) for Each Offense; and Providing for an Effective Date. Zoning Docket 10-16. (First Reading)

City Planner Keegan introduced this agenda matter to the City Council. City Manager Benavides emphasized that this agenda matter is for rezoning the property owned by the City of Glenn Heights.

Ryan Combs, 7738 La Cabeza Drive, Dallas, addressed the City Council. Mr. Combs spoke in favor of the project.

The City Council considered action following deliberation.

Motion by Mayor Pro Tem Bradley to approve Ordinance O-22-16 on its first reading. Mayor Tate made the second. The motion carried with the following vote:

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

The City Council took a brief break and reconvened at 8:37 p.m. with all City Council Members except for Councilman George.

REPORTS AND PRESENTATIONS

13. Presentation: City of Glenn Heights Economic Development Update. Following an introduction of Ms. Cyndy Powell by City Manager Benavides, Economic

Development Director Powell made a formal presentation updating the City Council on actions taken, actions proposed, and a general timeline for moving the City of Glenn Height's economic development agenda forward. The City Council made some recommendations about branding, and about the possibility of bringing federal agency locations to the City of Glenn Heights. There was some discussion about the Chamber of Commerce being re-activated.

14. Presentation: Lessons Learned from December 26, 2015 Tornado and Recovery Efforts. Fire Chief Eddie Burns made a formal presentation to the City Council about the lessons learned from the December 26, 2015 Tornado and recovery efforts.
15. Update: New City Hall and Public Safety Buildings. City Manager Benavides updated the City Council briefly describing the phases and pacing of the project.
16. Update: City of Glenn Heights Capital Improvement Program – Roads and Utilities. Director Brewer updated the City Council providing copies of written reports and communications.
17. **Announcement of Upcoming City Events.**
 - A. Installation of Mayor-Elect and Council Members-Elect and Reception, on Tuesday, November 29, 2016 at 6:00 p.m. at Curtistene McCowan Middle School, 1500 Majestic Meadow Drive, Glenn Heights, Texas, 75154, and limited City Council Meeting.
 - B. Christmas Tree Lighting, Heritage Community Park, 400 E. Bear Creek Road, Glenn Heights, Texas, 75154, Saturday, December 3, 2016, the time is to be determined. Ms. Benavides informed the City Council that the date of the Christmas Tree Lighting has been changed to December 3.
 - C. Anniversary Event of the December 26, 2015 Tornado Event on Friday, December 16 at 6:00 p.m.; Donald T. Shields Elementary School.
 - D. City of Glenn Heights Business Mixer, Tuesday, December 8, 2016; the location and time are to be determined.

City Manager Benavides requested the City Council to email the City Secretary by Friday if they would like to attend the Black Tie and Boots Inaugural Ball being sponsored by the Texas Society in January 2017 in Washington, D.C. She indicated it represents an opportunity to provide a public face for the City of Glenn Heights as the City approaches requesting future federal grants.

Motion by Council Adams to extend the City Council Meeting to 10:15 p.m. Mayor Tate made the second. The motion carried with the following vote:

VOTE: **5 Ayes** – Bradley, Ipaye, Tate, Adams, and Garrett
 1 Nay – Davis

EXECUTIVE SESSION

Motion by Mayor Pro Tem Bradley to convene into Executive Session at 9:56 p.m. Councilman Adams made the second. The motion carried with the following vote:

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

18. Executive Session.

A. The City Council of the City of Glenn Heights will convene into Executive Session pursuant to Local Government Code Section 551.072, Deliberation Regarding Real Property; to consider the purchase of land within the City of Glenn Heights.

B. The City Council will reconvene into Open Session.

Motion by Councilman Adams to reconvene into Open Session at 10:10 p.m. Councilwoman Ipaye made the second. The motion carried with the following vote:

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

C. The City Council will consider any necessary actions (if any) resulting from the Executive Session pursuant to Section 551.072 of the Texas Government Code, Deliberation Regarding Real Property.

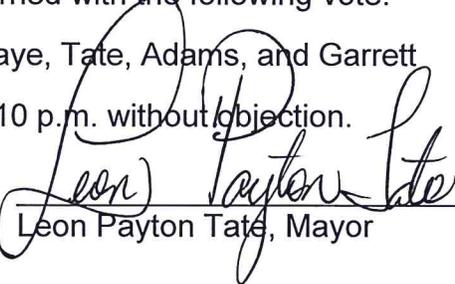
Mayor Tate announced that the City Council directed the City Manager to move forward as previously discussed in Executive Session [October 18, 2016 City Council Meeting].

CITY COUNCIL MEETING ADJOURNMENT

Mayor Pro Tem Bradley made a motion for adjournment at 10:10 p.m. Councilman Adams made the second. The motion carried with the following vote:

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

Mayor Tate adjourned the meeting at 10:10 p.m. without objection.



Leon Payton Tate, Mayor

Attest:



Juanita Willman, City Secretary

Passed and approved the 6th day of December, 2016.