

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

DECEMBER 6, 2016

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

On the 6th day of December, 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
Emma Ipaye	*	Council Member
Ron Adams	*	Council Member
Harry Garrett	*	Council Member
Glenn George	*	Council Member

ABSENT: Sidney Davis * Council Member

STAFF:

Aretha Ferrell-Benavides	*	City Manager
David Hall	*	Deputy City Manager
Janie Willman	*	City Secretary
Cyndy Powell	*	Director of Economic Development
Lakeita Sutton	*	Director of Finance
Eddie Burns	*	Fire Chief
Kacye Harvey	*	Director of Organizational Development
Millicent Williams	*	
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 7:00 p.m.

INVOCATION: Dr. Willie B. Sublet, Jr., Harvest of Praise Ministry Church, delivered the invocation. Dr. Sublet thanked the City Council and City staff for their efforts on the roads in his neighborhood, from London Lane to Windsor Drive.

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

PUBLIC COMMENT: Brian Smith, 327 Craddock Drive, addressed the City Council regarding concerns arising from neighborhood conditions related to the December 26, 2015 Tornado, and ongoing Code Compliance issues, indicating he and his family feel like the families affected by the Tornado have been forgotten.

Other individuals signed up to address the City Council on Agenda Items 4 and 10, respectively. As Consent Agenda Item 4 was approved as part of the Consent Agenda, the requestor did not address the City Council. Two individuals signed to address the City Council on Agenda Item 10.

PROCLAMATIONS

- Seasons of Service, November 11, 2016 through January 1, 2017

CONSENT AGENDA

Motion by Councilman Adams to approve Consent Agenda Items 1A-1D. Councilman George made the second. The motion carried with the following vote:

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

1. Consider approval of the City of Glenn Heights City Council Minutes:
 - A. October 18, 2016 Regular City Council Meeting
 - B. November 15, 2016 Regular City Council Meeting
 - C. November 22, 2016 Special City Council Meeting
 - D. November 29, 2016 Special City Council Meeting

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

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

2. 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. (Second Reading)

3. Accept receipt of the results arising from **DRVB Docket 04-16** Consideration of the request for a Variance by Future Signs, Inc. representing Sonic Drive-Thru relative to two articles: **Article 15, Sec. 15.02.063(b)** that requires a masonry pylon sign with masonry construction, including: columnar support, a minimum 2' wide masonry border and a minimum 3' high decorative cap. In addition, pylon signs are allowed only on nonresidential property with a minimum 300' contiguous frontage along four (4) or more lane freeways, when set back 200' from the public right-of-way. Also, the maximum height of a pylon sign may not exceed 50' above the adjacent pavement level. The applicant seeks an exemption from the listed requirements to install a freestanding pylon sign that will not meet masonry construction standards, will be within 200' of the public right-of-way and will be 70' above the adjacent pavement level. The applicant is also requesting allowance of the installation of two attached wall signs. **Article 15, Sec. 15.01.062(a)** states that on parcels containing multiple businesses, each business shall be allowed one wall sign. The applicant seeks an exemption to install two wall signs: one on the East side of the building and one on the North side of the building. The property located at 1701 S Beckley Road is presently zoned C-Commercial. The Development Regulation Variance Board voted to **APPROVE** the request on the condition that the applicant install a six (6') foot masonry wall at the base of the freestanding pylon sign.
4. Consider an Ordinance of the City Council of the City of Glenn Heights, Texas, Amending Ordinance O-07-10 Together with the Zoning Ordinance and Map of the City of Glenn Heights, as Heretofore Amended, by Granting a Change in Zoning by Amending the Specific Use Permit ("SUP") Granted by Ordinance O-07-10 to Provide Additional 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; as 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 Floor Plan Attached Hereto As Exhibit "B"; Providing for the Approval of the Foundation Plan Attached Hereto As Exhibit "C"; Providing for the Approval of the Elevation Plan Attached Hereto As Exhibit "D"; 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. (Second Reading)

5. Consider a request by Fate Investments LP for a Final Plat for Williams Farms totaling approximately 44.89 acres of land. The property is located at 3121 S. Hampton Road and presently zoned SF-1 Single-Family Residential. The request is to allow 3 large lots within the William C. Denton Survey, Abstract No. 295, Lots 1, 2, & 3 in Glenn Heights Ellis County, Texas. Subdivision Docket 02-16.

6. Consider a request by Monitex Financial Services, LP dba as LGI Homes for a Final Plat for Phase 2 North and Phase 2 East of the Meadow Springs Subdivision totaling approximately 43.69 acres. The property is located at 1801 S. Westmoreland Road presently zoned SF-3 Single Family Residential is proposed to become Meadow Springs PH-2 East and at 1914 S. Westmoreland Road presently zoned SF-1 Single Family Residential is proposed to become Meadow Springs PH-2 North. The request is to allow a 119 lots abutting the existing Meadow Springs subdivision, Blocks 7 & 8, in Glenn Heights Dallas County, Texas. Subdivision Docket 03-16.

AGENDA

7. Discuss and consider the Election of a Mayor Pro Tem.

Mayor Tate introduced this agenda matter, defining the process for accepting and voting on nominations. Mayor Tate announced the floor was open for nominations for the Election of a Mayor Pro Tem.

Councilman Adams placed his name in nomination.

Councilman and current Mayor Pro Tem Bradley placed his name in nomination.

There being no other nominations, Mayor Tate announced the City Council would vote on the nominations.

On the nomination of Councilman Ron Adams for Mayor Pro Tem, the City Council voted as follows:

Bradley – Nay
 Ipaye – Aye
 Tate – Nay
 Adams – Aye
 Garrett – Nay
 George – Nay

On the nomination of Councilman Tony L. Bradley for Mayor Pro Tem, the City Council voted as follows:

Bradley – Aye
 Ipaye – Nay
 Tate – Aye
 Adams – Nay

Garrett – Aye
George – Aye

Mayor Tate announced that Councilman Bradley was elected Mayor Pro Tem by a vote of 4 to 2.

Councilman Bradley thanked the City Council for electing him as Mayor Pro Tem.

8. Discuss and consider the City Council's Participation in the Black Tie & Boots Inaugural Ball in Washington, D.C.

Mayor Tate introduced this agenda matter to the City Council. He indicated that he understood the City Council's desire to make political in-roads with the new U.S. Presidential Administration. However, he indicated this may not be the most effective use of the taxpayer's funds as many Presidential Cabinet positions have yet to be filled. He requested the City Council's input. The City Council indicated individually that each felt this presents an opportunity to represent the City of Glenn Heights in a positive and meaningful manner.

Following the City Council deliberation, the City Council considered action.

Motion by Councilman Garrett to approve the City Council's participation in the Black Tie & Boots Inaugural Ball in Washington, D.C. from January 19-21, 2017. Councilman Adams made the second. The motion carried with the following vote:

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

9. Public Hearing to receive testimony relative to a request by Bear Creek Plaza Beverage, dba Liquor Depot, for a Specific Use Permit at 1308 E. Bear Creek Road. The property is presently zoned PD-1 Business Park (PD-BP) and the request is to allow a Specific Use Permit (SUP) for the retail sale of off-site beverages at the property, Lot 1, Block B, Bear Creek Plaza, Glenn Heights, Dallas County, Texas. Zoning Docket 11-16.

Motion by Councilman Adams to open the Public Hearing at 7:26 p.m. Mayor Tate made the second. The motion carried with the following vote:

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

Mayor Tate opened the Public Hearing at 7:26 p.m. There being no speakers to address the City Council, the City Council considered action.

Motion by Councilman Adams to close the Public Hearing at 7:27 p.m. Councilman Garrett made the second. The motion carried with the following vote:

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

Mayor Tate closed the Public Hearing at 7:27 p.m.

10. Discuss and Consider Ordinance O-23-16, an Ordinance of the City Council of the City Of Glenn Heights, Texas, Amending the Zoning Ordinance, by Changing the Official Zoning Map and the Zoning Classification of Lot 1, Block B, Bear Creek Plaza Addition, Glenn Heights, Dallas County, Texas, Zoned Planned Development – 1 (Gateway Estates PD) “PD-1” by allowing a Specific Use Permit for Convenience Store at the Property, Repealing all Conflicting Ordinances, Orders or Resolutions; Providing a Severability Clause; Providing a Penalty of Fine Not to Exceed Two Thousand Dollars (\$2,000.00); and, Providing an Effective Date. Zoning Docket 11-16. (First Reading)

Deputy City Manager Hall introduced this agenda matter to the City Council. He noted that bringing this agenda matter through the SUP process is part of the settlement defined between the City of Glenn Heights TML-IRP assigned attorney and the owner. City Planner McDonald briefed the City Council on the technical aspects of the SUP request.

Mr. Darrell Cook, 6688, North Central Expressway, Dallas, attorney for the owner, addressed the City Council. Mr. Shair Hakemy, 2331 W. Northwest Highway, Dallas, owner, notified the City Council that he was present to address the City Council.

Following clarification about the signage and the process, the City Council considered action.

Motion by Mayor Pro Tem Bradley to approve Ordinance O-23-16 on the first reading. Councilman Garrett made the second. The motion carried with the following vote:

VOTE: 4 Ayes – Bradley, Tate, Garrett, and George
2 Nays – Ipaye and Adams

11. Discuss Financials Report for October 2016. Director of Finance Sutton made a formal presentation on the Financials Report for October 2016.
12. Discuss and Consider authorizing the City Manager to Enter into a Contract for the Purchase of Real Property located at 1932 South Hampton Road, Glenn Heights, Texas in an amount not to exceed \$125,000.

Deputy City Manager Hall introduced this agenda matter to the City Council. Following brief deliberation, the City Council considered action.

Motion by Mayor Pro Tem Bradley to authorize the City Manager to enter into a contract for the purchase of real property located at 1932 South Hampton Road,

Glenn Heights, Texas in an amount not to exceed \$125,000 with the stipulation that the first right of refusal the second parcel be given the City of Glenn Heights. Councilman Ipaye made the second. The motion carried with the following vote:

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

Following consideration of other agenda matters, the City Council re-considered Agenda Matter 12. [The matter is recorded here for continuity and completion of this City Council action.]

Motion by Mayor Pro Tem Bradley to return to Agenda Item 12. Councilman Adams made the second. The motion carried with the following vote:

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

The City Council was informed by City Manager Benavides that the second parcel carries a very heavy lien on that part of the property. The City Attorney's consultant recommended for that reason that the first right of refusal as a stipulation not be considered.

Motion by Mayor Pro Tem Bradley to authorize the City Manager to enter into a contract for the purchase of real property located at 1932 South Hampton Road, Glenn Heights, Texas in an amount not to exceed \$125,000. Councilman Adams made the second. The motion carried with the following vote:

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

REPORTS AND PRESENTATIONS

13. Update: City of Glenn Heights Capital Improvement Program – Roads and Utilities.

Director of Public Works and Infrastructure Brewer made a brief informal presentation of the report updating the City Council on the Roads and Utilities Capital Improvement Program.

14. Update: New City Hall and Public Safety Buildings.

Deputy City Manager Hall made a brief informal presentation of the report updating the City Council on the work completed to-date towards building a New City Hall and Public Safety Buildings. He completed his summary indicating that Randall Scott Associates, the City's architects for this project, will present on January 10 before the City Council. Mayor Tate asked that any information be forwarded to the City Council in advance of the City Council agenda packets as soon as it becomes available.

16. **Announcement of Upcoming City Events.**

- Christmas Tree Lighting, Heritage Community Park, 400 E. Bear Creek Road, Glenn Heights, Texas, 75154. Please note that Event date has been changed to Tuesday, December 6, 2016 at 4:00 p.m.
- City of Glenn Heights Home-Based Business Mixer, **Thursday, December 8, 2016**; 310 Moses Drive, Glenn Heights (Invitation Event)
- Anniversary Event of the December 26, 2015 Tornado Event at Donald T. Shields Elementary School, 223 W. Ovilla Road, Glenn Heights, 75154, on **Friday, December 16 from 6:00 – 8:30 p.m.**
- Best Southwest Luncheon, **Thursday, December 15** (Ticketed Event)
- Holiday Basket Delivery Date for Christmas, **Wednesday, December 21, 2016**; times vary.
- **City Offices are closed for the Christmas and New Year Holidays** as follows:
 - o Friday, December 23
 - o Monday, December 26
 - o Monday, January 2
- City Council Meetings in December 2016:
 - o Tuesday, December 13
- City Council Meetings in January 2017:
 - o Tuesday, January 10
 - o Tuesday, January 17
 - o Tuesday, January 24

City Manager Benavides announced the Upcoming City Events noting that of the remaining events in the holiday season is the Anniversary Event of the December 26, 2015 Tornado Event at Donald T. Shields Elementary School, 223 W. Ovilla Road, Glenn Heights, 75154, on Friday, December 16 from 6:00 – 8:30 p.m.

The City Council took a brief break between 8:19 p.m. and 8:31 p.m. The City Council reconvened with six City Council Members in attendance.

EXECUTIVE SESSION

Motion to convene into Executive Session at 8:31 p.m. by Councilman Adams. Mayor Tate made the second. The motion carried with the following vote:

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

Mayor Tate convened the City Council into Executive Session at 8:31 p.m.

15. Executive Session.

A. The City Council of the City of Glenn Heights will convene into Executive Session pursuant to Local Government Code Section 551.074, Personnel Matters; to Conduct the Mid-Year Evaluation of the City Manager.

B. The City Council will reconvene into Open Session.

Motion to reconvene into Open Session at 9:00 p.m. by Councilman Adams. Councilwoman Ipaye made the second. The motion carried with the following vote:

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

Mayor Tate reconvened the City Council into Open Session at 9:00 p.m.

C. The City Council will consider any necessary actions (if any) resulting from the Executive Session pursuant to Section 551.074 of the Texas Government Code, Personnel Matters; the Mid-Year Evaluation of the City Manager.

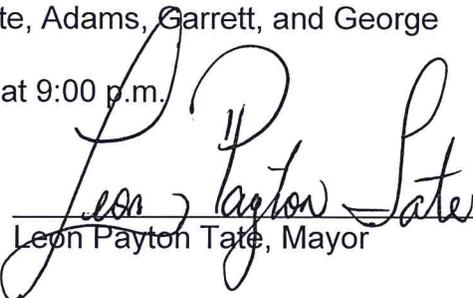
Mayor Tate announced there were no actions resulting from the Executive Session, Section 551.074, Personnel Matters; the Mid-Year Evaluation of the City Manager.

ADJOURNMENT

Motion by Councilman Adams to adjourn the meeting at 9:00 p.m. Councilwoman Ipaye made the second. The motion carried with the following vote:

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

Mayor Tate adjourned the meeting at 9:00 p.m.



Leon Payton Tate, Mayor

Attest:



Juanita Willman, City Secretary

Passed and approved the 13th day of December, 2016.