

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

MARCH 16, 2021

STATE OF TEXAS *

COUNTIES OF DALLAS AND ELLIS *

CITY OF GLENN HEIGHTS *

On the 16th day of March 2021, the City Council of the City of Glenn Heights, Texas, met in a Regular Called City Council Meeting via telephone and video conference with the following members present:

CITY COUNCIL:

Harry A. Garrett	*	Mayor
Sonja A. Brown	*	Mayor Pro Tem
Emma Ipaye	*	Council Member
Travis Bruton	*	Council Member
Alisha M. Brown	*	Council Member
Shaunte L. Allen	*	Council Member
Machanta Newson	*	Council Member

*Council Member Travis Bruton joined the meeting at 7:23 P.M.

STAFF:

David Hall	*	City Manager
Michael Rogers	*	Deputy City Manager
Lucas Benson	*	Interim Chief of Police
Brandi Brown	*	City Secretary
Marlon Goff	*	Planning and Development Director
Byron Hardy	*	IT Administrator
Miamauni Hines	*	Planner
Lauren Lewis	*	Community Engagement Administrator
Keith Moore	*	Fire Chief
Jaynice Porter-Brathwaite	*	Human Resources Director

CONSULTANT:

Victoria Thomas	*	City Attorney's Office
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CALL TO ORDER

Mayor Harry A. Garrett called the City Council Meeting to order at 7:07 P.M., with a quorum of the City Council present.

INVOCATION

Pastor Kevin Taylor, Harvest of Praise Ministry, delivered the Invocation.

PLEDGE OF ALLEGIANCE

Mayor Harry A. Garrett led the assembly in the Pledge of Allegiance.

PUBLIC COMMENT

The following Public Comment was made:

- Lisa Moreland, 237 Glen Meadow Dr., Glenn Heights, TX 75154: discussed road infrastructure and the need for repairs, issues with speeding motorists, and her opposition to a proposed development.

PROCLAMATIONS

The following Proclamations were read:

- Cesar Chavez Day, March 31, 2021, read by Council Member Emma Ipaye
- World Autism Awareness Day, April 2, 2021, read by Mayor Pro Tem Sonja A. Brown
- National Child Abuse Prevention Month, April 2021, read by Council Member Alisha M. Brown
- National Sexual Assault Awareness and Prevention Month, April 2021, read by Council Member Machanta Newson

CONSENT AGENDA

1. Discuss and take action to approve the City Council Meeting Minutes of the March 2, 2021, Regular Called City Council Meeting. (Brandi Brown, City Secretary)
2. Discuss and take action to approve the City Council Meeting Minutes of the March 4, 2021, Special Called City Council Meeting. (Brandi Brown, City Secretary)

Mayor Pro Tem Sonja A. Brown made a motion to confirm Consent Agenda Items 1-2. Council Member Alisha M. Brown made the second. The motion carried with the following vote:

VOTE 6 Ayes – Garrett, S. Brown, Ipaye, A. Brown, Allen, and Newson

AGENDA

Council Member Emma Ipaye made a motion for City Council to convene into Executive Session to obtain legal advice related to Agenda Items 1-6. Council Member Machanta Newson made the second. The motion carried with the following vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

City Council went into Executive Session at 7:23 P.M.

Mayor Pro Tem Sonja A. Brown made a motion to reconvene into Open Session. Council Member Emma Ipaye made the second. The motion carried with the following vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

City Council reconvened into Open Session at 7:43 P.M.

Mayor Harry A. Garrett announced no action had been taken in Executive Session.

1. Discuss and take action on Ordinance O-02-21, 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 changing the zoning classification of an approximately 5.499 acres tract of land situated in the JP Woolsey Survey, Abstract No. 1135 and being generally located at the southwest corner of Ovilla Road and Uhl Road and being more particularly described and depicted in Exhibit "A" attached hereto, currently zoned Retail ("R"), by allowing a Specific Use Permit for the automobile service station (gas station) and convenience store uses thereon; providing a repealing clause; providing a severability clause; and providing for an effective date. (Second Reading)

Marlon Goff, Planning and Development Director, introduced this item. Miamauni Hines, Planner, completed a presentation regarding the purpose of the Specific Use Permit request, preliminary development, proposed site and landscape plans, and site elevation. Brett Hess, Property Broker, Hi View Real Estate, and Matthew Smith, Developer, Vaquero Ventures, answered Council's questions related to store inventory and hiring practices.

Council Member Emma Ipaye made a motion for City Council to convene into Executive Session to obtain legal advice related to Agenda Item 1. Council Member Machanta Newson made the second. The motion carried with the following vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

City Council went into Executive Session at 7:55 P.M.

Mayor Pro Tem Sonja A. Brown made a motion to reconvene into Open Session. Council Member Emma Ipaye made the second. The motion carried with the following vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

City Council reconvened into Open Session at 8:20 P.M.

Mayor Harry A. Garrett announced no action had been taken in Executive Session.

Mr. Smith answered Councils questions related to the implementation schedule and completed a presentation with visual renderings, and elevation, landscaping, and internal and external feature information.

Council Member Machanta Newson made a motion to approve Ordinance O-02-21, 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 changing the zoning classification of an approximately 5.499 acres tract of land situated in the JP Woolsey Survey, Abstract No. 1135 and being generally located at the southwest corner of Ovilla Road and Uhl Road and being more particularly described and depicted in Exhibit "A" attached hereto, currently zoned Retail ("R"), by allowing a Specific Use Permit for the automobile service station (gas station) and convenience store uses thereon; providing a repealing clause; providing a severability clause; and providing for an effective date. Council Member Travis Bruton made the second. The motion carried with the following vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

2. Discuss and take action on Ordinance O-05-21, an Ordinance of the City Council of the City of Glenn Heights, amending the Comprehensive 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 with special conditions to allow for the construction and use of a temporary concrete batching plant on land zoned Planned Development-3, Single Family-3 & Single Family-4 ("PD-3, SF-3 & SF-4") and being approximately 34.190 acres of land described as all of Magnolia Meadows Phase IV, Glenn Heights, Ellis County, Texas and being more particularly described and depicted in Exhibit "A" attached hereto; providing for the approval of the site plan and truck route attached hereto as Exhibit "B"; providing for approval of the process flow diagram attached hereto as Exhibit "C"; providing a conflict clause; providing a severability clause; and providing an effective date. (Second Reading)

Marlon Goff, Planning and Development Director, introduced this item. Miamauni Hines, Planner, completed a presentation regarding the purpose of the request, temporary batch plant conditions, the proposed site plan, residential buffers, truck routes, batch plants approved in the past, and Staff recommendations. She also discussed requirements for nearby cities and responses from neighboring property owners.

Mayor Pro Tem Sonja A. Brown made a motion to approve Ordinance O-05-21, an Ordinance of the City Council of the City of Glenn Heights, amending the Comprehensive 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 with special conditions to allow for the construction and use of a temporary concrete batching plant on land zoned Planned Development-3, Single Family-3 & Single Family-4 ("PD-3, SF-3 & SF-4") and being approximately 34.190 acres of land described as all of Magnolia

Meadows Phase IV, Glenn Heights, Ellis County, Texas and being more particularly described and depicted in Exhibit "A" attached hereto; providing for the approval of the site plan and truck route attached hereto as Exhibit "B"; providing for approval of the process flow diagram attached hereto as Exhibit "C"; providing a conflict clause; providing a severability clause; and providing an effective date. Council Member Machanta Newson made the second. The motion carried with the following vote:

VOTE 5 Ayes – Garrett, S. Brown, Ipaye, Bruton, and Newson
2 Nays – A. Brown and Allen

3. Public hearing to receive testimony concerning Ordinance O-01-21, an Ordinance of the City Council of the City of Glenn Heights, Texas, amending the Comprehensive Zoning Ordinance and Zoning Map, as previously amended, by granting a Specific Use Permit with special conditions authorizing 133 West Ovilla Road, Glenn Heights, Texas, being a portion of an approximately 2.158 acres parcel of land known as 119 West Ovilla Road and being Lot 2, Block 1 of Glenn Heights Plaza, Glenn Heights, Ellis County, Texas, more particularly described and depicted in Exhibit "A" attached hereto, currently zoned Retail (R), to be used for a drugstore, pharmacy; providing a repealing clause; providing a conflicts clause; providing a severability clause; and providing an effective date.

Mayor Pro Tem Sonja A. Brown made a motion to open the Public Hearing. Council Member Travis Bruton made the second. The motion carried with the following vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

The Public Hearing was opened at 8:42 P.M.

No testimony was provided.

Mayor Pro Tem Sonja A. Brown made a motion to close the Public Hearing. Council Member Travis Bruton made the second. The motion carried with the following vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

The Public Hearing was closed at 8:44 P.M.

4. Discuss and first reading of Ordinance O-01-21, an Ordinance of the City Council of the City of Glenn Heights, Texas, amending the Comprehensive Zoning Ordinance and Zoning Map, as previously amended, by granting a Specific Use Permit with special conditions authorizing 133 West Ovilla Road, Glenn Heights, Texas, being a portion of an approximately 2.158 acres parcel of land known as 119 West Ovilla Road and being Lot 2, Block 1 of Glenn Heights Plaza, Glenn Heights, Ellis County, Texas, more particularly described and depicted in Exhibit "A" attached hereto, currently zoned Retail (R), to be used for a drugstore, pharmacy; providing a repealing clause; providing a conflicts clause; providing a

severability clause; and providing an effective date.

Miamauni Hines, Planner, completed a presentation regarding the Specific Use Permit request, applicant, location, and information about the background of the request. Tiffany Do, Applicant, answered Council's questions related to pharmacy services, the types of patients that will be served, operations, and areas served.

5. Public hearing to receive testimony concerning Ordinance O-03-21, 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 for a 20.702-acre property commonly known as 1215 East Bear Creek Road, Glenn Heights, Texas and being a 20.702-acre parcel situated in the James Porter Survey, Abstract No. 1129, Glenn Heights, Dallas County, Texas more particularly described and depicted in Exhibit "A" attached hereto (the "Property"), from Single Family Residential-1 (SF-1) to Planned Development-26, Commercial and Multifamily ("PD-26/C & MF") to allow for the development of a mixed use development containing up to 18 multifamily units per acre, mixed commercial, and open space facilities; providing for the approval of and required development in accordance with the development regulations attached hereto as Exhibit "B", providing for the approval of the concept plan and park plan attached hereto as Exhibit "C"; 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.

Council Member Travis Bruton made a motion to open the Public Hearing. Council Member Machanta Newson made the second. The motion carried with the following vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

The Public Hearing was opened at 8:57 P.M.

No testimony was provided.

Council Member Travis Bruton made a motion to close the Public Hearing. Council Member Machanta Newson made the second. The motion carried with the following vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

The Public Hearing was closed at 9:00 P.M.

6. Discuss and first reading of Ordinance O-03-21, 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 for a 20.702-acre property commonly known as 1215 East Bear Creek Road, Glenn Heights, Texas and being a 20.702-acre parcel situated in the James Porter Survey, Abstract No. 1129, Glenn Heights, Dallas County, Texas more particularly described and depicted in Exhibit "A" attached hereto (the "Property"), from Single Family Residential-1 (SF-1) to Planned Development-26, Commercial and Multifamily ("PD-26/C & MF") to allow for the development of a mixed use development containing up to 18 multifamily units per acre, mixed commercial, and open space facilities; providing for the approval of and required development in accordance with the development regulations attached hereto as Exhibit "B", providing for the approval of the concept plan and park plan attached hereto as Exhibit "C"; 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.

Marlon Goff, Planning and Development Director, introduced this item. Miamauni Hines, Planner, completed a presentation regarding planned developments, the purpose of the applicant's request, the property's location and concept plan, land use, residential development regulations, and Staff recommendations. Brett Hess, Property Broker, Hi View Real Estate, and Kevin Kosoris, Hi View Real Estate, provided an overview of their companies and the project. Mr. Smith also completed a presentation regarding the property site plan and provided information regarding contact with neighboring property owners and economic benefits. Mr. Hess, Mr. Goff, and David Hall, City Manager, answered Council's questions related to complex size, the construction schedule, rent control, rental assistance units versus market rate units, and if there would be any stress on neighboring School Districts.

During item discussion, the following individuals who had previously requested to provide Testimony during the Public Hearing, rejoined the call after disconnecting:

- Maureen Murphy, Co-Founder & Secretary, Athletes for Change, 1205 E Bear Creek Rd., Glenn Heights, TX 75154: confirmed she had been in contact with the developer, that her concerns had been addressed, and that she did not oppose the development.
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- Dennis DeVaughn, President, Athletes for Change, 1205 E Bear Creek Rd., Glenn Heights, TX 75154: confirmed he had been in contact with the developer, that his concerns had been addressed, and that he did not oppose the development.

7. February 2021 Financial Report.

Council Member Emma Ipaye made a motion to table Agenda Item 7 to the next regularly scheduled City Council Meeting. Council Member Machanta Newson made the

second. The motion carried with the following vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

8. Discuss and take action on Resolution R-12-21, a Resolution of the City Council of the City of Glenn Heights, Texas, accepting a sanitary sewer easement from Bloomfield Homes, LP, Grantor, to the City of Glenn Heights, Texas, Grantee, for the installation, construction, operation, maintenance replacement, repair, upgrade, relocating, and removal of a sanitary sewer line and all necessary or desirable structures, facilities and appurtenances thereto; providing for the furnishing of a certified copy of this Resolution for recording in the real property records of Dallas County, Texas, as a deed; and providing an effective date.

Marlon Goff, Director of Planning and Development Services, introduced this Agenda Item. He provided a brief overview of previous City Council action, the development location, and why there is a need for a public utility easement and sanitary sewer line.

Mayor Pro Tem Sonja A. Brown made a motion to approve Resolution R-12-21, a Resolution of the City Council of the City of Glenn Heights, Texas, accepting a sanitary sewer easement from Bloomfield Homes, LP, Grantor, to the City of Glenn Heights, Texas, Grantee, for the installation, construction, operation, maintenance replacement, repair, upgrade, relocating, and removal of a sanitary sewer line and all necessary or desirable structures, facilities and appurtenances thereto; providing for the furnishing of a certified copy of this Resolution for recording in the real property records of Dallas County, Texas, as a deed; and providing an effective date. Council Member Emma Ipaye made the second. The motion carried with the following vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

Council Member Emma Ipaye made a motion to extend the City Council Meeting to 10:15 P.M. Council Member Machanta Newson made the second. The motion carried with the following vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

9. Discuss and take action on Resolution R-13-21, a Resolution of the City Council of the City of Glenn Heights, Texas, approving the terms and conditions of the Grant Agreement by and between Texas Division of Emergency Management (TDEM), an agency of the State of Texas, and the City of Glenn Heights, Texas, as provided in Exhibit 'A' attached hereto and incorporated herein; authorizing the City Manager to execute the necessary documents; and, providing for an effective date.

Keith Moore, Fire Chief, introduced this Agenda Item. He provided a brief overview, including providing information about the winter weather storm,

how the City was financially impacted during this winter weather disaster, and the reimbursement agreement. Chief Moore answered Council's questions related to the advantages of approving the agreement, the 75/25 match, and what expenses can be recouped.

Council Member Emma Ipaye made a motion to approve Resolution R-13-21, a Resolution of the City Council of the City of Glenn Heights, Texas, approving the terms and conditions of the Grant Agreement by and between Texas Division of Emergency Management (TDEM), an agency of the State of Texas, and the City of Glenn Heights, Texas, as provided in Exhibit 'A' attached hereto and incorporated herein; authorizing the City Manager to execute the necessary documents; and, providing for an effective date. Council Member Alisha M. Brown made the second. The motion carried with the following vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

Mayor Pro Tem Sonja A. Brown made a motion for City Council to convene into Executive Session to obtain legal advice related to Agenda Item 10. Council Member Emma Ipaye made the second. The motion carried with the following vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

City Council went into Executive Session at 9:52 P.M.

Council Member Emma Ipaye made a motion to reconvene into Open Session. Council Member Travis Bruton made the second. The motion carried with the following vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

City Council reconvened into Open Session at 10:04 P.M.

Mayor Harry A. Garrett announced no action had been taken in Executive Session.

10. Discuss and take action on Resolution R-14-21, a Resolution of the City Council of the City of Glenn Heights, Texas, awarding and authorizing a Contract with Douglas Dailey Construction, LLC, for construction of the Mesa Water Distribution Improvements; and providing an effective date.

Council Member Emma Ipaye made a motion to approve Resolution R-14-21, a Resolution of the City Council of the City of Glenn Heights, Texas, awarding and authorizing a Contract with Douglas Dailey Construction, LLC, for construction of the Mesa Water Distribution Improvements; and providing an effective date. Council Member Alisha M. Brown made the second. The motion carried with the following vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

11. Discuss and take action to establish a Winter Storm Relief Program granting relief on permit fees and/or water utility bills for water/wastewater usage.
12. Discuss and take action on Resolution R-11-21, a Resolution of the City Council of the City of Glenn Heights, Texas, authorizing the establishment, funding, and implementation of the Winter storm 2021 Home Repair Incentive Program, to be funded in the total amount of \$500,000.00, for the purpose of providing a one-time grant up to a maximum grant amount of \$500 to owners of homes located in the City of Glenn Heights that suffered water damage due to Winter Storm 2021, said program to be managed by the City's Office of Community Engagement; and providing an effective date.

Mayor Pro Tem Sonja A. Brown made a motion to table Agenda Items 11 and 12 to the next regularly scheduled City Council Meeting. Council Member Emma Ipaye made the second. The motion carried with the following vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

ADJOURNMENT

Council Member Travis Bruton made a motion to adjourn. Council Member Emma Ipaye made the second. The motion carried with the following vote:

VOTE 7 Ayes – Garrett, S. Brown, Ipaye, Bruton, A. Brown, Allen, and Newson

Mayor Harry A. Garrett adjourned the meeting at 10:08 P.M.



Harry A. Garrett, Mayor

Attest:



Brandi Brown, City Secretary
Passed and approved on the 6th day of April 2021