

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

AUGUST 9, 2016

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

On the 9th day of August, 2016, the City Council of the City of Glenn Heights met in a special 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
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STAFF:

Aretha Ferrell-Benavides	*	City Manager
David Hall	*	Managing Director
Janie Willman	*	City Secretary
Lakeita Sutton	*	Director of Finance
Eddie Burns	*	Fire Chief
Phillip Prasifka	*	Police Chief
Jeremy Tennant	*	Senior Planner
Robert Floyd	*	Fiscal Officer
Larissa Ward	*	Municipal Court Administrator
Folakemi Osoba	*	Executive Assistant to the City Manager

CONSULTANT:

Evan Fisher	*	City Attorney's Office
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Mayor Tate called the meeting to order at 7:06 p.m.

INVOCATION: Pastor Nick Harris, Bear Creek Baptist Church, gave the invocation.

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

Mayor Tate called for a moment of silence for all the persons who have lost their lives in the last couple of weeks.

PUBLIC COMMENT: There were no speakers to address the City Council.

CONSENT AGENDA

Councilman Adams made a motion to approve Consent Agenda Item 1.
Councilman Garrett made the second. The motion carried with the following vote:

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

- 1. Consider authorizing the City Manager or her designee to execute an Interlocal Agreement with the Texas Municipal League (TML) Multistate Intergovernmental Employee Benefits Pool.

AGENDA

- 2. Discuss and consider City of Glenn Heights Home Rule Charter amendments. Mayor Tate introduced the discussion on this agenda matter to the City Council as the City Council having an opportunity to put proposed changes to the City’s voters to consider changes to the City’s Home Rule Charter with the minimum amount of time the statutes require in-between amendments having transpired.

He reported that the City’s Home Rule Charter mirrors the City of DeSoto’s Home Rule Charter with few exceptions noting that it is time for the City Council to consider changes that will benefit the City of Glenn Heights. He emphasized that if the City of Glenn Heights is going to be different, then the City Council needs to look at doing things differently. Amongst the changes he recommends the City Council discuss and consider as being placed on a ballot for a Special Election on the November 8, 2016 ballot: addressing the residency issue of the City Manager; shall the City Manager reside within the City of Glenn Heights; addressing the residency issue of the Chief of Police; shall the Chief of Police reside within the City of Glenn Heights; addressing a conflict with the way the language is written related to the Municipal Court Judge and the ambiguity of who the Municipal Court Judge reports to based on state law and a few other issues; the Council Members shall not receive compensation; there are some Council Members that receive compensation [in other cities]; there is an issue of term limits; we are the only city in Ellis County that still has term limits. He noted that there are these five matters that the City Council can discuss to consider placing on an election ballot for the City’s voters to consider. Mayor Tate noted that he has heard other City Council Members mention some of these same issues.

Councilman Adams asked for clarification of what level of management the line would be drawn related to residency requirements. He noted he has no problem with staff living within close proximity. He asked if the changes being recommended are not required to be vetted through a charter review board. Mayor

Tate indicated the City Council is not going to be making the changes rather that the City Council will be deliberating which propositions should be placed on a ballot for the voters to consider.

Councilman George asked Mayor Pro Tem Bradley how often he has to take personal time off to be able to meet his obligations to the City Council. Mayor Pro Tem Bradley noted that if he has to be at the City before 6:30 p.m., he has to take personal time off. Councilman George asked the Mayor how much more support is needed from the City Council pertaining to City business. Councilman George indicated that some form of compensation may be needed. He noted that the Mayor is involved quite a bit. The Mayor explained that in order to serve on boards that function on a regional level requires extensive time of service and solid relationships formulated through years of service. He noted that cities that are able to get their projects through successfully have spent time representing their cities on regional boards. He indicated that is how you get things done for your city by investing time serving on regional boards where decisions are made.

Councilman Garrett noted that when each member of the City Council agreed to serve, they did so out of a civic responsibility. He noted further he is as busy as anyone; that all of the City Council Members' time is important. He noted he does not understand the rationale for making such significant changes to the Charter. He noted that in all of his conversations with the community that no one has ever brought up that the City Council or the Mayor might be more effective if term limits were removed or if the City Council is compensated.

Mayor Pro Tem Bradley noted the changes he sees to be considered. The first change he sees is to delete from the Charter that the Judge of the Municipal Court serves at the pleasure of the City Manager and serves for a term of office of two years unless the municipality provides a longer term as it is stated in the Local Government Code. If the City Council fails to appoint within 91 days, the Judge continues to serve. City Manager Benavides noted that the City of Glenn Heights has a contractual agreement with the City's Municipal Court Judge. Ms. Benavides noted the differences between cities which employ municipal court judges versus cities which contract with municipal court judges. She noted further the City's contractual relationship can be terminated for cause. Ms. Benavides noted staff can do a survey of other cities to determine the reporting structure for other judges.

Mr. Evan Fisher, consultant from the City Attorney's Office, noted that the current language is problematic because it is unclear about who may remove the municipal court judge. He noted that typically municipal court judges serve at the pleasure of the City Council.

There was some discussion about the practical aspect of having the municipal court judge reporting to and the supervisory oversight by the City Council even given the authority, by an amended charter. The question was further raised as to whether the Municipal Court Judge would still be supervised by the City Manager.

Mayor Pro Tem Bradley noted that as far as the compensation is concerned; no one anticipates a living wage being given by the City Council to itself. He noted that this provision would give the citizens an opportunity for a small stipend as compensation. He noted that the leadership of the City needs to know what is going on in the City at 8 p.m.; not just between 8 a.m. and 5 p.m. and to be responsive to the Community.

It is not outside of the norm to have the City Manager and the Police Chief to be required to live in the City. He noted that the change would not apply to the current city manager or chief of police; that he is thinking in future terms. He noted that these are initiatives for the voters to have an opportunity to consider. Mayor Pro Tem Bradley noted that the City's voters also have the opportunity to change the Charter if they can get more than five percent of the City's registered voters to sign a petition. He noted the people also have the power.

Councilwoman Ipaye noted she thinks it is important for the City Manager, the Fire Chief, and the Police Chief to live in the City to experience what the residents of the City experience. However, in a small city like Glenn Heights the matter of proximity can work. She noted that she prefers that the City Council consider what is best for Glenn Heights versus considering what other cities do. Regarding the matter of compensation; the citizens should decide. She noted the changes are not about those City Council Members sitting at this table but for future City Councils. She also noted that in order for the best people to come and serve, the City Council should consider a way that the best people can come. As far as the Judge is concerned, we should look at appointing a point person. The Judge should report to the City Manager.

Councilman Garrett commented in terms of compensation and in terms of time begins when the City Council don't allow the City Manager and the staff to function in the capacity in which we employ them. He noted that given the opportunity and latitude that the professional staff works well. He indicated he does not understand what the end game is in terms of the future. He further stated that he wasn't looking for a full time job. Mayor Tate noted that it can be depending on if you want to move the City forward. He noted that he doesn't understand why someone would volunteer to be a Council Member and doesn't want to be involved. He noted his personal preference to put in a lot of time as far as serving on the City Council.

Mayor Pro Tem Bradley indicated he would like to see all the propositions be put before the people. He further indicated if the people don't like something they will let you know.

Councilman Garrett noted he doesn't understand why term limits need to be removed in order for the City Council to be effective. Mayor Pro Tem Bradley noted that all cities move slowly and that public service is about relationship building. He noted that there shouldn't be an artificial term limit when the real term limit is the people's vote.

Mr. Fisher noted that he would like clarification for language to be developed to be placed on a ballot. Mayor Tate asked that all the items be placed on the agenda for consideration by the City Council.

Mr. Fisher noted these five items: Residency requirement of the City Manager, the Police Chief, and the Fire Chief; removal of the term limits for Mayor and City Council Members; removal of the restriction for compensation for the Mayor and City Council Members; related to the Municipal Court Judge to remove the wording "serve at the pleasure of the City Manager." Mr. Fisher pointed out that under Texas law, if there is a restriction in the Home Rule Charter related to a residency requirement, that individual will also have to be made a direct report to the City Council. Mr. Fisher explained that Texas law does not allow the City Council to tell the City Manager, don't hire someone from outside the City. He continued by stating that the City Council can restrict in the Charter whom Council appoints. So, any position that is going to have a residency requirement is also going to have to report directly to the City Council.

Councilman Garrett noted that he found it interesting that if direct reports to the City Council do not report to the City Manager, he doesn't understand the necessity or benefits of a City Manager. He observed that the City Council is structuring everything where everyone now directly reports to the City Council, he doesn't understand how the City Manager will manage those people who are now not responsible to her or to what the City Manager is. Mayor Tate indicated that discussion can be furthered at the next City Council Meeting.

Councilwoman Ipaye suggested that in the interest of the short timeframe to get this done, she would like to see the positions that report to the City Manager eliminated from this.

3. Discuss and consider support for legislative bill regarding the changes to the DART support structure. Mayor Tate introduced the discussion on this agenda matter as based on communication received by the City of University Park on behalf of the University Park City Council and the Town of Highland Park. The communication was seeking support from the City's State of Texas legislative representatives on an election based on HB-157, passed in the last legislative session which allows cities to go to 2 cents sales tax and apportion the money in 1/8 cent levels. In even-numbered year elections, the State apportions ¼ cent to DART which allows the cities to maintain their memberships, ¼ cent is returned to the citizens for ad valorem tax relief; and ½ cent is used by each respective city in approved areas; crime control, economic development, or street maintenance. It was noted that if DART refuses to accept the cities' proposed election and withdraws its service, then each respective city is absolved of all accumulated debt that DART has apportioned to the individual cities. Following deliberation by the City Council, the City Council reached a consensus to draft a letter of support and to set up a meeting with representatives of the Park Cities.

Motion by Councilman Adams to draft a letter of support over the Mayor's signature to Mayor Lane with courtesy copies to the City's legislative representatives. Councilwoman Ipaye made the second. The motion carried with the following vote:

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

4. Discuss and consider the proposed personnel changes as reflected and presented in the City Manager's Proposed Annual Budget for Fiscal Year 2016-2017.

City Manager Benavides made a formal presentation in the absence of Organizational Development Administrator Harvey. Ms. Benavides focused on the staff's review of staffing levels, consistency in title / classification, review salaries to ensure competitiveness, executive recruitment and retention. Ms. Benavides reviewed the new proposed positions by title and justification. The City Manager indicated staff will provide job descriptions when this agenda matter is brought back to the City Council. Ms. Benavides explained the logic for title changes in some of the positions in an effort to develop consistency in title and classifications. She explained the City's personnel priorities by position and classification. She explained the City's processes to review salaries in an effort to ensure the City's competitiveness as an employer. Ms. Benavides detailed salary increases and incentives, including the performance evaluation system, the annual evaluation schedule and proposed funding. She explained the exempt and non-exempt positions proposed for reclassification in title, grade, and salary changes. Ms. Benavides explained efforts to develop a package for executive level employees to improve retention of experienced and qualified employees, to develop an executive compensation and benefits package based on best practices, and to work to effectively communicate the benefits of working for the City of Glenn Heights. Ms. Benavides concluded the presentation by thanking the City Council and City staff for their continued partnership which allows the City to effectively meet current challenges and take advantage of new opportunities in the future.

The City Council asked that the scope of the duties be included for future discussions. The City Council asked that positions are created, recruited for, and staffed by position function, need, and objective criteria versus the incumbent in the position. Ms. Benavides explained that Ms. Harvey will provide in-depth information when a resolution is brought back for the City Council to approve the proposed changes. The City Council thanked Ms. Benavides and the staff for the love with which their work is performed.

5. Discuss and consider the proposed vehicle changes as reflected and presented in the City Manager's Proposed Annual Budget for Fiscal Year 2016-2017.

Ms. Benavides noted there are limited vehicles recommended in this year's budget. The vehicle needs will be detailed during each departmental presentation. The City Manager noted that she has been working with the Mayor to fully explore the City's fleet and fleet conditions. The City Council received a report on the City's

fleet of vehicles a meeting within the last couple of weeks as part of the capital budget exploration. The City Council expressed a need to have specific costs for fully outfitting Police Department vehicles.

Motion by Councilman Adams to extend the City Council Meeting to 10:30 p.m. Mayor Tate made the second. The motion carried with the following vote:

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

Councilman Garrett left the City Council Meeting at 9:59 p.m.

PROPOSED FISCAL YEAR 2016 – 2017 BUDGET WORKSHOP

6. Departmental Budget and Work Plans
 - a) General Fund
 - (1) Planning
 - (2) Economic Development
 - (3) Public Safety – Fire Department
 - (4) City Council

City Manager Benavides informed the City Council that based on the extended meeting time and anticipated staff absences next week, she would appreciate it if the Fire Department and City Council can present this evening. Planning and Economic Development will present next week.

Fire Chief Burns presented his work plan detailing accomplishments for Fiscal Year 2015-2016 and detailing a work plan summary for Fiscal Year 2016-2017.

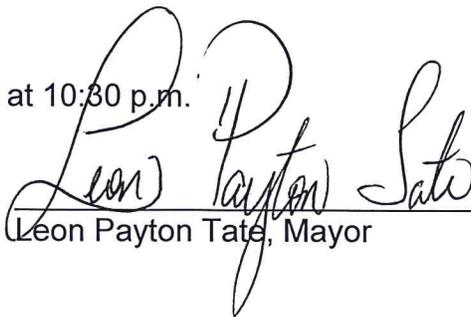
City Manager Benavides detailed the City Council's budget program and initiatives. The City Council indicated staff may want to consider bringing legal in-house and scheduling legal only at one meeting based on the next year's increased costs anticipated to be \$100,000. Ms. Benavides indicated staff would do benchmarking to determine what other cities are doing. City Council asked to see copies of legal bills. City Council asked that money be added to increase outreach to other communities for appropriate situations that may arise. City Council additionally requested that more training money be added to ensure the City's relatively newly City Council Members. The City Council asked to receive all documentation in advance of future budgeting workshops to ensure they have adequate time for study.

ADJOURNMENT

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

VOTE: **5** **Ayes** – Bradley, Ipaye, Tate, Adams, and George.

Mayor Tate adjourned the meeting at 10:30 p.m.



Leon Payton Tate, Mayor

Attest:



Juanita Willman, City Secretary

Passed and approved the 16th day of August, 2016.