



**MINUTES OF THE BRIEFING AND SPECIAL MEETING
VIA VIDEOCONFERENCE OF THE CITY COUNCIL
CITY OF BALCH SPRINGS
MARCH 1, 2021
6:00PM – BRIEFING
7:00PM – REGULAR MEETING

MINUTES**

The City Council of the City of Balch Springs, Texas conducted the briefing meeting via videoconference on Monday, March 1, 2021, 6:01 p.m.

Present: Councilmember Singletary (In-person), Councilmember Shelby (via videoconference), Councilmember Segroves (via videoconference), Mayor Pro Tem Rushing (via videoconference), Councilmember Myles (via videoconference), Councilmember Hill (via videoconference) and Mayor Gordon (In-person).

BRIEFING MEETING AT 6:00PM

A. Briefing regarding the ability of the City to amend the zoning ordinance related to zoning protests.

Chris Dyser, Community Development, and the City Attorney briefed the City Council in regards to amending the zoning ordinance related to zoning protests.

B. Briefing regarding the process required to dedicate certain City owned property for parkland.

The City Attorney briefed the City Council on the process and regulations of dedicating certain City owned property for parkland.

C. Briefing and discussion:

A. No Objection Resolution and MOU in Support of the Torrington Arcadia Trails Workforce Housing development project located at 3811 South Beltline Road.

B. Discussion regarding the Parmore Arcadia Trails Senior Housing Development by JPI Development and Recon Capital and related Arcadia Trails Development plan activity.

C. Discussion regarding a Development Agreement with Bloomfield Homes PL, Recon Capital LLC, TDI Affordable Development LLC for capital infrastructure and roadway improvements related to the Arcadia Trails Master Planned Development located at 3811 South Beltline Road, 4600 Mercury Road and 14804 Lakeside Road.

Chris Dyser, Community Development, briefed the City Council in regards to a No Objection Resolution and MOU in Support of the Torrington Arcadia Trails Workforce Housing development project located at 3811 South Beltline Road, Parmore Arcadia Trails Senior Housing Development by JPI Development, Recon Capital and related Arcadia Trails Development plan activity, the Development Agreement with Bloomfield Homes PL, Recon Capital LLC, TDI Affordable Development LLC for capital infrastructure and roadway improvements related to the Arcadia Trails Master Planned Development, located at 3811 South Beltline Road, 4600 Mercury Road and 14804 Lakeside Road.

The City Council of the City of Balch Springs, Texas conducted the Special meeting via video conference on Monday, March 1, 2021, 7:00 p.m.

Call meeting to order - Mayor Gordon (In-person) called the meeting to order at 7:00 p.m.

Identification of a quorum

Councilmember Singletary (In-person)
Councilmember Shelby (via videoconference)
Councilmember Segroves (via videoconference)
Mayor Pro Tem Rushing (via videoconference)
Councilmember Myles (via videoconference)
Councilmember Hill (via videoconference)
Mayor Gordon (In-person)

Staff:

Susan Cluse, City Manager (via videoconference)
Cindy Gross, City Secretary (In-person)
Amanda Davis, City Attorney (via videoconference)

Invocation – The invocation was given by City Councilmember Myles.

Pledge – The pledge of allegiance to the US Flag and Texas Flag was led by City Councilmember Singletary.

Public Comment – No public comments at this time.

CONSENT AGENDA

A. APPROVAL OF MINUTES:

1. January 26, 2021 – Special and Workshop Meeting

Councilmember Myles made the motion to approve the Consent Agenda as stated. Councilmember Hill seconds the motion. Voting for this motion were Councilmember Singletary, Councilmember Shelby, Councilmember Segroves, Mayor Pro Tem Rushing, Councilmember Myles and Councilmember Hill. **Motion passed. (6-0)**

REPORTS/UPDATES:

1. Report(s) by City Council Board, Commission or Committee Liaison(s) and Executive Staff regarding items of community interest.

Mayor Gordon – (Type B Board Liaison) – the splash pad and the green ribbon project will be coming before the city council at a later date.

Councilmember Singletary – (Civil Service Commission Liaison) –February meeting was canceled due to winter storm, and rescheduled for March 9, 2021.

Mayor Pro Tem Rushing – (Parks and Recreation Board Liaison) – meeting was canceled and looking forward to the splash pad project.

Chris Dyser, Planning Department, gave an update on the Hickory Tree Road Improvement Project Survey posted on the website and social media platforms, in regards to current road usage, the need and development of a vision for the future.

Police Chief Haber would like to thank all of the city staff, police and fire department, and public works department for working together and responding to the needs of the community in regards to the winter storm.

2. Update on Emergency & Disaster Declarations and associated matters and COVID-19 public health and safety measures, cases, and associated pandemic matters.

Brad Harris, Emergency Coordinator, gave an update of the February 14 – 19, 2021 Winter Storm After Action Report. Mr. Harris and City officials met prior to the storms to discuss planning efforts to help reduce the impact of the storms, to our citizens. The Recreation Center was utilized as a warming center to help assist needing a place to stay warm. The City of Balch Springs overall was spared the worst and was limited damages to City facilities and infrastructure. City departments were able to plan and respond to all aspects of the winter weather event with minimal impacts. Recovery for citizens who were affected will continue for the foreseeable future, and we will do our best to provide communication of resources available to all. Mr. Harris would like to thank the city staff and all departments for their help during the winter storms.

Mayor Gordon stated that she was in constant communication on a daily basis with the Police Chief, Emergency Management and City Manager. Mayor Gordon stated the overall lessons learned were: redundancy in communication (email) a top priority, additional back-up power generation for all facilities, training and exercising for winter weather events, continued education for effective communication with the public and additional supplies to ensure City facilities are equipped to house city staff unable to travel during inclement weather.

Brad Harris, Emergency Management Coordinator, reported that the city receives most of their reports from Dallas County, and that the city currently has (3,132) total COVID-19 cases. Mr. Harris stated that the vaccine has been underway and encourages everyone sign up for the vaccine.

Ms. Cluse, City Manager stated that during the Winter Storm no one's water was disconnected and no late fees were charged during the week of the storm, due to the city facility being closed.

INDIVIDUAL ITEMS:

1. Consideration and action regarding the re-appointments to the Library Board:

- A. Joe Brumfield**
- B. Renee Barner**
- C. Elicia Cruson**

Councilmember Singletary moved to approve the re-appointments to the Library Board: Joe Brumfield, Renee Barner and Elicia Cruson. Councilmember Segroves seconds the motion. Voting for this motion were Councilmember Singletary, Councilmember Shelby, Councilmember Segroves, Mayor Pro Tem Rushing, Councilmember Myles and Councilmember Hill.

Motion passed. (6-0)

2. Consideration and action regarding appointments to the Economic Development Type B Board:

- A. Wanda Adams**
- B. Arianna Hill**

Councilmember Myles moved to approve the appointments to the Economic Development Type B Board for Wanda Adams and Arianna Hill. Councilmember Shelby seconds the motion. Voting for this motion were Councilmember Singletary, Councilmember Shelby, Councilmember Segroves, Mayor Pro Tem Rushing, Councilmember Myles and Councilmember Hill.

Motion passed. (6-0)

3. Consideration and action regarding appointments to the Balch Springs Public Finance Corporation (PFC) Board:

- A. Felicia Rettig**
- B. Kimberly Anderson**
- C. Kathy Robnett**
- D. Gwendolyn Gardner**

The aforementioned agenda item will be moved under executive session item (9C).

4. Consideration and action regarding an ordinance regulating Camping in Public.

Mayor Pro Tem Rushing moved to approve an ordinance regulating Camping in Public (Ord. 3226-21). Councilmember Shelby seconds the motion. Voting for this motion were Councilmember Singletary, Councilmember Shelby, Councilmember Segroves, Mayor Pro Tem Rushing, Councilmember Myles and Councilmember Hill. **Motion passed. (6-0)**

5. **Consideration and action regarding funding for the splash pad at Oakridge Park by Kraftsman Commercial Playgrounds & Water Parks in an amount not to exceed \$1,400,000.00.**

Mayor Pro Tem Rushing moved to approve the funding for a splash pad at Oakridge park by Kraftsman Commercial Playgrounds & Water Parks at a cost to not exceed \$1,400,000.00. Councilmember Singletary seconds the motion. Voting for this motion were Councilmember Singletary, Councilmember Shelby, Councilmember Segroves, Mayor Pro Tem Rushing, Councilmember Myles and Councilmember Hill. **Motion passed. (6-0)**

6. **Consideration and action regarding a professional engineering services agreement with Freese and Nichols Inc., for street improvements program in an amount not to exceed \$136,463.00.**

Mayor Pro Tem Rushing moved to approve engineering services agreement with Freese and Nichols Inc., for professional services related to the 2020-2021 street improvements program in an amount not to exceed \$136,463.00. Councilmember Singletary seconds the motion. Voting for this motion were Councilmember Singletary, Councilmember Shelby, Councilmember Segroves, Mayor Pro Tem Rushing, Councilmember Myles and Councilmember Hill. **Motion passed. (6-0)**

7. **Consideration and action regarding a Development Agreement with Bloomfield Homes LP, Recon Capital LLC, TDI Affordable Development LLC for capital infrastructure and roadway improvements related to the Arcadia Trails Master Planned Development located at 3811 South Beltline Road, 4600 Mercury Road and 14804 Lakeside Road.**

Councilmember Hill moved to approve a Development Agreement with Bloomfield Homes LP, Recon Capital LLC, TDI Affordable Development LLC and the City of Balch Springs for the development of offsite capital roadway infrastructure improvements related to the Arcadia Trails Master Planned Development located at 3811 South Beltline Road, 4600 Mercury Road and 14804 Lakeside Road. Councilmember Shelby second the motion. Voting for this motion were Councilmember Shelby, Councilmember Segroves, Mayor Pro Tem Rushing, Councilmember Myles and Councilmember Hill. Voting in opposition was Councilmember Singletary. **Motion passed. (5-1)**

8. **Consideration and action on a resolution and related Advance Funding Agreement with the Texas Department of Transportation regarding the 2019 TxDOT Safe Routes to School sidewalk grant.**

The aforementioned agenda item is postponed until March 8, 2021.

NOTICE OF EXECUTIVE SESSION

9. **In accordance with Texas Government Code, Chapter 551, the City Council will recess in Executive Session to discuss the following:**

Mayor Gordon convened into closed session at 8:36 PM.

A. Section 551.071; Consultation with the attorney regarding pending or contemplated litigation, or a settlement offer; or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act; re: (i) Cause no. 3:17- CV-01208-M; (ii) Balch Springs Public Facility Corporation; and (iii) Fire Chief.

B. Section 551.074: Deliberate the appointment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; re: (i) Fire Chief; and (ii) City Manager.

C. Section 551.087: Deliberate economic development incentives, re: Balch Springs Public Facility Corporation.

RECONVENE INTO OPEN SESSION

Mayor Gordon reconvened into open session at 10:34 pm.

10. Take action, if any, on matters discussed in Executive Session.

Councilmember Singletary moved to file a letter of reprimand in the Balch Springs City Manager's file in violation of Government Code Section 303.035. **Motion died for lack of second.**

Mayor Pro Tem Rushing moved to withhold the acceptance of Ms. Cluse, City Manager's resignation and enter into negotiations for a new contract. Councilmember Hill seconds the motion. Voting for this motion were Councilmember Shelby, Councilmember Segroves, Mayor Pro Tem Rushing, Councilmember Myles and Councilmember Hill. Voting in opposition was Councilmember Singletary. **Motion passed. (5-1)**

3. Consideration and action regarding appointments to the Balch Springs Public Finance Corporation (PFC) Board:

A. Felicia Rettig

B. Kimberly Anderson

C. Kathy Robnett

D. Gwendolyn Gardner

Councilmember Hill moved to appoint Felicia Rettig, Kimberly Anderson, Kathy Robnett and Gwendolyn Gardner to the Balch Springs Public Finance Corporation (PFC) Board. Councilmember Shelby seconds the motion. Voting for this motion were Councilmember Singletary, Councilmember Shelby, Councilmember Segroves, Mayor Pro Tem Rushing, Councilmember Myles and Councilmember Hill. **Motion passed. (6-0)**

11. Consideration and action regarding a resolution and revised certificate of formation for the Balch Springs Public Facility Corporation.

Councilmember Myles moved to approved a resolution and revised certificate of formation for the Balch Springs Public Facility Corporation (Res. 872-21). Mayor Pro Tem Rushing seconds the motion. Voting for this motion were Councilmember Singletary, Councilmember Shelby, Councilmember Segroves, Mayor Pro Tem Rushing, Councilmember Myles and Councilmember Hill. **Motion passed. (6-0)**

12. Requests for information, and/or new business to be placed on future agendas.

Mayor Gordon

- Agenda item #8 will be coming back on March 8, 2021

City Secretary

- An ordinance cancelling the unopposed Mayor and Place 5 for May, 1, 2021 General Election

13. Closing prayer – Councilmember Hill gave the closing prayer.

14. Adjourn - Mayor Gordon adjourned the Meeting at 10:44 pm.

PASSED AND APPROVED AT A REGULAR MEETING HELD ON MARCH 22, 2021.