



**MINUTES OF THE BRIEFING AND REGULAR MEETING
VIA VIDEOCONFERENCE OF THE CITY COUNCIL
CITY OF BALCH SPRINGS
MARCH 22, 2021
6:30 PM - BRIEFING
7:00PM – REGULAR MEETING**

The City Council of the City of Balch Springs, Texas conducted the briefing meeting via videoconference on Monday, March 22, 2021, 6:30 p.m.

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

BRIEFING MEETING AT 6:30PM

Chris Dyser, Community Development, requested to combined briefing items 1 & 3.

- 1. Briefing regarding Comprehensive Plan Amendment Application No. 001-2021 by LDG Development, LLC & Dunaway Associates, LP for properties located at 12013 and 12105 Seagoville Road from low density residential to high density residential to allow a multi-family residential development and park.**
- 3. Briefing regarding Rezoning Application No. 001-2021, by LDG Development, LLC & Dunaway Associates, LP for properties located at 12013 and 12105 Seagoville Road from Single Family Dwelling District to Planned Development District to allow for a multi-family residential development and park.**

Chris Dyser, Community Development, briefed the City Council in regards to the comprehensive Plan Amendment Application No. 001-2021 by LDG Development, LLC & Dunaway Associates, LP for properties located at 12013 and 12105 Seagoville Road from low density residential to high density residential to allow a multi-family residential development and park, and rezoning Application No. 001-2021, by LDG Development, LLC & Dunaway Associates, LP for properties located at 12013 and 12105 Seagoville Road from Single Family Dwelling District to Planned Development District to allow for a multi-family residential development and park.

2. **Briefing regarding Rezoning Application No. 002-2021, by LDG Development, LLC & Dunaway Associates, LP, to rezone two properties located at 3416 Hickory Tree Road and 12004 Quail Drive from Local Retail District to Planned Development District to allow for a multi-family residential development and park.**

Chris Dyer, Community Development, briefed the City Council in regards to the rezoning Application No. 002-2021, by LDG Development, LLC & Dunaway Associates, LP, to rezone two properties located at 3416 Hickory Tree Road and 12004 Quail Drive from Local Retail District to Planned Development District to allow for a multi-family residential development and park.

4. **Briefing regarding the City's ability to designate handicap parking on residential streets.**

Mayor Pro-Tem Rushing removed this item from the agenda, due to the fact that the city could not legally take any action on the matter.

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 Mayor Gordon.

Pledge – The pledge of allegiance to the US Flag and Texas Flag was led by Police Chief Haber.

Public Comment – No public comments at this time.

CONSENT AGENDA

- A. **APPROVAL OF MINUTES:**
 1. **February 8, 2021 – Regular Meeting**
 2. **March 1, 2021 – Special Meeting**

Councilmember Hill made the motion to approve the Consent Agenda. 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)**

REPORTS/UPDATES:

1. Report(s) by Executive Staff regarding items of community interest.

Police Chief Haber spoke before City Council in regards to rules and regulations of Political Signs. He announced that any complaints, questions or comments regarding political signs can be reported to the City Manager or Police Chief Haber.

Chris Dyser, Community Development, announced that Raising Cains will be coming to Balch Springs.

William Freeman, Public Works Director, provided the City Council with an update regarding the Hickory Tree Rd. project progress.

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 Management, spoke in regards to the declining case rate, and the total 3,568 total cases within the city. He announced that the testing site is still available by appointment at the Civic Center, through the end of April, and that Dallas County is still in the process of administering vaccines.

Mr. Harris announced that Carter Blood Care will be holding a Blood Drive on April 9th, at McDonald's at 3535 Glenshire Dr, Balch Springs, TX 75180.

3. Report on the Fiscal Year 2021 Financial Report.

Geneva Mendez, Finance, provided the City Council a financial update to touch on major changes in the general fund revenue and expenditures, and utility fund revenue and expenditures.

4. Presentation(s):

A. Municipal Court Report by Judge Dana Huffman.

Judge Dana Huffman spoke before City Council in regards to changes in Governor's Orders and new restrictions, virtual court meetings, warrant round ups, and jail procedures and processes.

B. Introduction of Kimberly Anderson, appointee to the Balch Springs Public Facility Corporation Board of Directors.

Councilmember Hill introduced Kimberly Anderson, her candidate for the Balch Springs Public Facility Corporation Board of Directors, to the City Council.

INDIVIDUAL ITEMS:

- 1. Consideration and action to ratify the Order issued by Mayor Carrie Gordon on March 17, 2021, regulating certain conduct relative to the COVID-19 Virus.**

Mayor Pro Tem Rushing moved to ratify the Order issued by Mayor Carrie Gordon on March 17, 2021, regulating certain conduct relative to the COVID-19 Virus. Councilmember Hill seconds the motion. Voting for this motion were Councilmember Shelby, Councilmember Segroves, Mayor Pro Tem Rushing, Councilmember Myles and Councilmember Hill. **Motion passed. (5-0)**
(Abstained Councilmember Singletary)

- 2. Appointment(s):
Balch Springs Public Facility Corporation Board of Directors**

Postponed until the April 12, 2021 City Council Meeting.

- 3. Consideration and action regarding purchase of a 2021 Godwin CD225M Dri-Prime Pump from Xylem Dewatering Solutions, at a cost not to exceed \$75,734.30, expended from the Waste Water Utility Capital Improvement Fund.**

Mayor Pro Tem Rushing moved to purchase of a 2021 Godwin CD225M Dri-Prime Pump from Xylem Dewatering Solutions, at a cost not to exceed \$75,734.30, expended from the Waste Water Utility Capital Improvement Fund. 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)**

- 4. Consideration and action regarding entering into a Professional Services Agreement with Cobb Fendley to update the 2012 Risk and Resilience Assessment Emergency Response Plan, at a cost to exceed \$30,000.**

Councilmember Myles moved to approve a Professional Services Agreement with Cobb Fendley to update the 2012 Risk and Resilience Assessment Emergency Response Plan, at a cost to exceed \$30,000. 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)**

- 5. Discussion regarding amending Chapter 38, Article V, Sections 38-603, 604, and 608 of the City's Code of Ordinances to include multi-family housing in the rental property inspection program.**

Santosha Pratt, Neighborhood Services, spoke before City Council in regards to the Multi-Family Housing Residential Inspection program. She gave further details in regards to the program and how it would benefit and improve the quality of life for the citizens. No action taken.

6. Consideration and action regarding an ordinance amending Chapter 18, Article VII, Section 18-398 of the City's Code of Ordinances regulating panhandling.

Mayor Pro Tem moved to approve an ordinance amending Chapter 18, Article VII, Section 18-398 of the City's Code of Ordinances regulating panhandling (Ord. 3228-21). 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)**

NOTICE OF EXECUTIVE SESSION

7. 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 8:51 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. 317CV01208M.

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

RECONVENE INTO OPEN SESSION

Mayor Gordon reconvened into open session at 11:00 pm.

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

Mayor Pro Tem Rushing moved to enter into the agreement with the City Manager, Susan Cluse, as discussed in executive session. Councilmember Hill seconds the motion. Mayor Pro Tem Rushing moved to amend the motion to enter into agreement with Susan Cluse as presented in executive session. Councilmember Hill accepts the amendment. Voting for this motion were Councilmember Shelby, Mayor Pro Tem Rushing, Councilmember Myles and Councilmember Hill. Voting in opposition were Councilmember Singletary and Councilmember Segroves. **Motion passed. (4-2)**

Councilmember Myles moved to enter into a memorandum of acknowledgment with interim Fire Chief, John Boothe, as discussed in executive session. 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)

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

- Charlene Rushing – announced that Mr. Howard Williamson Funeral Services will be held on Wednesday 24 2021, at 11:00 am at Troy Suggs Funeral Home, 7623 Military Parkway, Dallas, Tx. 75227.

- Mayor Gordon - City Council Retreat will be held March 27, 2021, from 10:00 am – 5:00 pm; Virtual Town Hall Meeting will be held March 30, 2021 at 6:00 pm; Visiting Nurse Association March 30, 2021

- Angela Singletary – Discussion regarding the cease and desist letter received by all City Councilmembers.

10. Closing prayer – Susan Cluse, City Manager, gave the closing prayer.

11. Adjourn - Mayor Gordon adjourned the Meeting at 11:13 pm.

PASSED AND APPROVED AT A REGULAR MEETING HELD ON APRIL 26, 2021.