



**MINUTES OF THE REGULAR MEETING  
VIA VIDEOCONFERENCE OF THE CITY COUNCIL  
CITY OF BALCH SPRINGS  
APRIL 12, 2021  
7:00PM – REGULAR MEETING**

The City Council of the City of Balch Springs, Texas conducted the regular meeting via videoconference on Monday, April 12, 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 Councilmember Singletary.

**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. March 8, 2021 – Regular Meeting**
- B. Approval of a Resolution suspending the effective date proposed by Atmos Energy Corporation – Midtex Division, to Increase Rates Under the Gas Reliability**

**Infrastructure Program for 45 Days and authorize the City's Continued Participation in a Coalition of Cities Known as the "Atmos Texas Municipalities".  
(Resolution 875-21)**

- C. Approval of reappointment(s) to the Type B Board.**
- D. Approval to amend to the City's Master Fee Schedule to update Animal Control service fees.**

Mayor Pro Tem Rushing made the motion to approve the Consent Agenda as presented. Councilmember Hill seconds the motion. Councilmember Singletary moved to amend the motion to approve the A, C and D of the consent agenda. Motion died for lack of second. Voting for the main motion were Councilmember Shelby, Councilmember Segroves, Mayor Pro Tem Rushing, Councilmember Myles and Councilmember Hill. (Abstained: Councilmember Singletary)  
**Motion passed. (5-0)**

**REPORTS/UPDATES:**

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

Ms. Cluse, City Manager, announced that the developers of LDG Springwood and Oakwood Developments would hold a virtual TEFRA Hearing on April 19, 2021 at 11:00am within the city's jurisdiction under the Tax Equity and Fiscal Responsibility Act of 1982.

Andrew Schimenti, Halff Associates, provided the City Council with an update regarding the Hickory Creek 2021 Study.

Chief Haber announced several events hosted by Police Department on April 24, 2021, starting from 9:00am 2:00pm at 12005 Elam Road:

- SPCA Pet Resource Mobile
- Coffee with a Cop
- Take Back Prescription Drug
- Invited City Councilmembers to De-escalation Simulator training on April 23<sup>rd</sup> at 8:00am.

Mayor Gordon announced that Brad Harris, Emergency Management will provide the City Council an update on audio and visual equipment at the April 26<sup>th</sup> City Council meeting as it relates to The American Rescue Plan Act.

**PUBLIC HEARING(S):**

- 1. Conduct Public Hearing on Rezoning Application No. 002-2021 by LDG Development, LLC & Dunaway Associates, LP to rezone 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.**

Mayor Gordon Opened the Public Hearing at 7:19 PM, regarding Rezoning Application No. 002-2021 by LDG Development, LLC & Dunaway Associates, LP to rezone 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.

Marie Tedei, 4708 Pioneer Road, Balch Springs – spoke in opposition of the Rezoning Application No. 002-2021 by LDG Development, LLC & Dunaway Associates, LP to rezone 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.

Randall Nixon, 4236 West Creek, Dallas - spoke in favor of the Rezoning Application No. 002-2021 by LDG Development, LLC & Dunaway Associates, LP to rezone 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.

Jake Brown, LDG Development – requested that agenda item #1 under individual items be postponed until the April 26, 2021 City Council Meeting.

Mayor Gordon Closed the Public Hearing at 7:36 PM, regarding Rezoning Application No. 002-2021 by LDG Development, LLC & Dunaway Associates, LP to rezone 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.

#### **INDIVIDUAL ITEMS:**

- 1. Consideration and action of a Rezoning Application No. 002-2021 by LDG Development, LLC & Dunaway Associates, LP to rezone 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.**

Mayor Pro Tem Rushing moved to postpone the aforementioned agenda item until April 26, 2021 City Council Meeting. Councilmember Myles seconds the motion. 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)**

- 2. Consideration and action regarding appointment(s) to the Balch Springs Public Facility Corporation Board.**

Councilmember Singletary moved to postpone the aforementioned agenda item until April 26, 2021 City Council Meeting. 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)**

**3. Consideration and action to purchase (8) air conditioning units for the Police and Fire Department Complex, at a cost not to exceed \$50,000.**

Mayor Pro Tem Rushing moved to approve the purchase (8) air conditioning units for the Police and Fire Department Complex, at a cost not to exceed \$50,000. 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 of a Request for Proposal to construct a property room at the Police Department.**

Mayor Pro Tem Rushing moved to proceed with Request for Proposal to construct a property room at the Police Department. 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. Consideration and action of a Request for Proposal to remodel the locker rooms at the Police Department.**

Mayor Pro Tem Rushing moved to proceed with Request for Proposal to remodel the locker rooms at the Police Department. 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)**

**6. Consideration and action to upgrade of the audio and visual system in the Council Chambers at City Hall.**

No action taken.

**7. Consideration and action regarding the Balch Springs Public Facility Corporation Bylaws.**

Councilmember Hill moved to postponed the aforementioned agenda item until April 26, 2021 City Council Meeting. 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)**

**NOTICE OF EXECUTIVE SESSION**

**8. 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 8:14 PM.

- A. Pursuant to Sections 551.071 and 551.074: 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; and deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee, re: (i) Cause no. 317CV01208M; (ii) cease and desist correspondence; and (iii) alleged violations of the Open Meetings Act and City policies by a councilmember.
- B. Sections 551.072 and 551.087: Deliberate the purchase, exchange, lease, or value of real property; and the offer of a financial or other incentive to a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City and with which the City is conducting economic development negotiations, re: Stride Hospitality.

### **RECONVENE INTO OPEN SESSION**

Mayor Gordon reconvened into open session at 9:37 pm.

#### **9. Take action, if any, on matters discussed in Executive Session.**

Mayor Pro Tem Rushing moved to accept Type A Board's recommendation of the economic development agreement, repurchase clause from Stride Hospitality. 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)**

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

- Charlene Rushing
  - Community Meeting on April 19<sup>th</sup> at 3:00pm at Romo's Event Center.
- Mayor Gordon
  - City Council Virtual Workshop April 20<sup>th</sup> at 6:00 pm.
  - Boards and Commissions virtual Training on April 29<sup>th</sup> at 6:00 pm.
  - City Council Budget Retreat on May 22<sup>nd</sup> at 11:00 am at the Civic Center.

Chief Haber announced several events hosted by Police Department for on April 24, 2021 starting from 9:00am 2:00pm at 12005 Elam Road:

- SPCA Pet Resource Mobile
- Coffee with a Cop
- Take Back Prescription Drug

- Invited City Councilmembers to De-escalation Simulator training on April 23<sup>rd</sup> at 8:00am.

11. **Closing prayer** – City Councilmember Myles gave the closing prayer.

12. **Adjourn** - Mayor Gordon adjourned the Meeting at 9:43 pm.

**PASSED AND APPROVED AT A REGULAR MEETING HELD ON MAY 10, 2021.**