

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

**APRIL 5, 2022**

**STATE OF TEXAS** \*

**COUNTIES OF DALLAS AND ELLIS** \*

**CITY OF GLENN HEIGHTS** \*

On the 5<sup>th</sup> day of April 2022, the City Council of the City of Glenn Heights, Texas, met in a Regular Called City Council Meeting in the City Hall, City Council Chambers, located at 1938 South Hampton Road, Glenn Heights, Texas, 75154, with the following members present:

**CITY COUNCIL:**

|                  |   |                         |
|------------------|---|-------------------------|
| Harry A. Garrett | * | Mayor                   |
| Sonja A. Brown   | * | Mayor Pro Tem, Place 1  |
| Emma Ipaye       | * | Council Member, Place 2 |
| Travis Bruton    | * | Council Member, Place 3 |
| Alisha M. Brown  | * | Council Member, Place 4 |
| Shaunte L. Allen | * | Council Member, Place 5 |
| Machanta Newson  | * | Council Member, Place 6 |

\*Council Member Shaunte L. Allen arrived at 7:11 P.M.

**STAFF:**

|                           |   |                                             |
|---------------------------|---|---------------------------------------------|
| David Hall                | * | City Manager                                |
| Clifford Blackwell        | * | Deputy City Manager                         |
| Brandi Brown              | * | City Secretary                              |
| Marlon Goff               | * | Director of Planning & Development Services |
| Byron Hardy               | * | IT Administrator                            |
| Keith Moore               | * | Director of Public Safety                   |
| Jaynice Porter-Brathwaite | * | Human Resources Director                    |
| Laura Voltmann            | * | City Planner                                |
| Nick Williams             | * | Deputy Fire Chief                           |

**CONSULTANT:**

|                 |   |                        |
|-----------------|---|------------------------|
| Victoria Thomas | * | City Attorney's Office |
|-----------------|---|------------------------|

**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**

Council Member Machanta Newson delivered the Invocation.

**PLEDGE OF ALLEGIANCE**

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

## **PUBLIC COMMENT**

Laymon M. Lightfoot, Glenn Heights, TX: discussed his opposition to Agenda item 4, Zoning Case 21-009-RZ.

## **PROCLAMATIONS**

Mayor Harry A. Garrett read the following Proclamations:

- National Child Abuse Prevention Month, April 2022
- National Sexual Assault Awareness and Prevention Month, April 2022

## **STAFF INTRODUCTIONS**

Jaynice Porter-Brathwaite, Human Resources Director, made the following Staff introductions:

- Katrina Ashley, HR Generalist
- Laura Voltmann, City Planner
- Lakeeta King, Community Engagement Coordinator
- Michael Davenport, Superintendent, Parks & Recreation

## **CONSENT AGENDA**

1. Discuss and take action to approve the City Council Meeting Minutes of the March 1, 2022, Regular Called City Council Meeting. (Brandi Brown, City Secretary)
2. Discuss and take action to approve the City Council Meeting Minutes of the March 22, 2022, Special Called City Council Meeting. (Brandi Brown, City Secretary)
3. Discuss and take action to approve Resolution R-10-22, a Resolution of the City Council of the City of Glenn Heights, Texas, authorizing the designation of personnel as signatories for financial transactions for Prosperity Bank, and providing for an effective date. (Clifford Blackwell, Deputy City Manager)
4. Discuss and take action to approve Resolution R-11-22, a Resolution of the City Council of the City of Glenn Heights, Texas, designating signatories for financial transactions for the City's Investment Accounts at TexStar; and providing for an effective date. (Clifford Blackwell, Deputy City Manager)

Council Member Shaunte L. Allen made a motion to approve Consent Agenda Items 1-4. Mayor Pro Tem Sonja A. Brown made the second. The motion carried with the following vote:

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

## **AGENDA**

Council Member Travis Bruton made a motion to move Agenda item 4 to Agenda item 1 and Agenda item 1 to Agenda item 4. Council Member Shaunte L. Allen made the second. The motion carried with the following vote:

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

4. Discuss and take action regarding Zoning Case 21-009-RZ, including consideration of the Applicant's request to remand the case back to the Planning and Zoning Commission, for further public notice and a public hearing to allow the applicant to present new evidence in response to neighborhood opposition.

Mayor Harry A. Garrett announced that the only portion of Agenda item 4 that would be considered was the Applicant's request to remand the Zoning Case back to the Planning and Zoning Commission. David Hall, City Manager, introduced this item and explained that after the December 2021 Planning and Zoning Commission meeting, the applicant provided additional information clarifying information provided in the Public Notice and site layout, and submitted additional information to city staff clarifying the proposed density of the multifamily portion of the site and the design of the residential units.

Mayor Pro Tem Sonja A. Brown made a motion to approve the Applicant's request regarding Zoning Case 21-009-RZ, to remand the case back to the Planning and Zoning Commission. 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

2. Public hearing to receive testimony concerning Ordinance O-04-22, 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 and amending the Specific Use Permit for an approximately 2.069 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, said property currently being zoned Retail ("R") with a Specific Use Permit for 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 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 opened at 7:26 P.M.

Council Member Shaunte L. Allen made a motion to close the Public Hearing. Mayor Pro Tem Sonja A. Brown 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 closed at 7:26 P.M.

3. Discuss and first reading of Ordinance O-04-22, 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 and amending the Specific Use Permit for an approximately 2.069 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, said property currently being zoned Retail ("R") with a Specific Use Permit for automobile service station (gas station) and convenience store uses thereon; providing a repealing clause; providing a severability clause; and providing for an effective date.

Laura Voltmann, City Planner, introduced this item and completed a presentation regarding Zoning Case 22-001-SUP, including the location, Ordinance O-02-21, elevations, the proposed site plan, and special conditions.

Ms. Voltmann answered Council's questions related to traffic concerns and if this item would require additional consideration/ a second reading.

1. Discuss and first reading of Ordinance O-03-22, an Ordinance of the City Council of the City of Glenn Heights, Texas, amending Ordinance Number O-02-21 of the City of Glenn Heights, Texas by correcting a scrivener's error regarding the total area included in the tract of land at issue; providing a repealing clause; providing a severability clause; providing a savings clause; and providing an effective date

Laura Voltmann, City Planner, introduced this item and completed a presentation regarding the requested corrections and location information.

Ms. Voltmann, David Hall, City Manager, and Victoria Thomas, City Attorney, answered Council's questions related to the site development, what portion of the location will be a convenience store, and development timeframes.

5. Reconsideration of the City Council vote on contract with Community Waste Disposal, L.P. for the Household Hazardous Waste Doorstep Program.

Council Member Alisha M. Brown introduced this item and completed a presentation regarding landfill data, the Battery and Critical Mineral Recycling Act of 2020, electric vehicle registrations, and the costs of CWD services that were discussed at a previous meeting.

David Hall, City Manager, and Nicole Roemer, CWD Municipal Director, answered Council's questions related to costs of the HHW service, how often the service would be provided, the process of picking up household hazardous waste, if products can be dropped off at the CWD Facility, and how often the City hosts a Community Clean-Up event.

Council Member Alisha M. Brown made a motion to reconsider City Council's vote on contract with Community Waste Disposal, L.P. for the Household Hazardous Waste Doorstep Program. Council Member Emma Ipaye made the second. The motion carried with the following vote:

**VOTE 6 Ayes** – S. Brown, Ipaye, Bruton, A. Brown, Allen. and Newson  
**1 Nay** – Garrett

Mayor Pro Tem Sonja A. Brown made a motion to approve adding the Household Hazardous Waste Doorstep Program to the previously approved contract with Community Waste Disposal, L.P. Council Member Emma Ipaye made the second. The following roll call vote was recorded:

|                                           |     |
|-------------------------------------------|-----|
| Harry A. Garrett, Mayor                   | No  |
| Sonja A. Brown, Mayor Pro Tem, Place 1    | Yes |
| Emma Ipaye, Council Member, Place 2       | Yes |
| Travis Bruton, Council Member, Place 3    | No  |
| Alisha M. Brown, Council Member, Place 4  | Yes |
| Shaunte L. Allen, Council Member, Place 5 | Yes |
| Machanta Newson, Council Member, Place 6  | Yes |

The motion carried with the following vote:

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

6. Discuss reopening of the City of Glenn Heights Senior Center.

Council Member Emma Ipaye introduced this item and David Hall, City Manager, answered Council's questions related to the date the Senior Center is tentatively scheduled to reopen.

7. Discuss and take action on the Sister Cities Program.

Council Member Emma Ipaye introduced this item, but due to presentation issues:

Council Member Travis Bruton made a motion to move Agenda item 7 to Agenda item 9 and to table Agenda item 9 to the next regularly scheduled meeting. Council Member Shaunte L. Allen made the second. The motion carried with the following vote:

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

8. Presentation of the 2021 Glenn Heights Police Department Racial Profiling Report.

Nick Bristow, Deputy Chief of Police, introduced this item and completed a presentation regarding contact data points - including gender, race or ethnicity, number of traffic stops, and if race or ethnicity was known prior to the stop; reasons for stops; street address or approximate location of the stops; if searches were conducted and the reasons for searches; if contraband was discovered, and if so, what type; the results of each stop; and motor vehicle contacts and demographics for years 2019-2021.

Deputy Chief Bristow and David Hall, City Manager, answered Council's questions related to number of stops, number of stops versus race of the driver, what this data is used for, how often this data can be reported to Council, if camera footage is being reviewed when collecting data, the length of body camera footage and if the footage used was part of the recently approved body camera system, contraband, what information can be released to City Council and the Citizen's Police Advisory Committee, and if more information can be provided to the public to educate them on how to file a Racial Profiling Complaint.

9. Presentation of the Annual Glenn Heights Police Department Crime Statistics Report.

See above.

7. Discuss and take action on the Sister Cities Program.

Council Member Emma Ipaye reintroduced this item and completed a presentation regarding the Sister Cities International Program and suggested Bakana Island be named Glenn Heights' Sister City.

Councilwoman Ipaye answered Council's questions related to the program, program fees and how this would impact the budget, how many cities utilize this program, the process of joining the program, how a Sister City is chosen, how this would benefit Glenn Heights, and what type of commitment this endeavor would require from residents, volunteers, partners, and staff.

Mayor Pro Tem Sonja A. Brown made a motion to table this Agenda item until further notice. 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

### **EXECUTIVE SESSION**

1. The City Council shall convene into Executive Session:

A. pursuant to Texas Government Code section 551.071(1)(A), consultation with

City Attorney to seek legal advice regarding pending litigation: *Lucas Benson v. City of Glenn Heights, Texas, et al*, Cause No. DC-22-02743 in the 101st Judicial District Court, Dallas County, Texas.

Council Member Travis Bruton made a motion to convene into Executive Session. 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 convened into Executive Session at 9:24 P.M.

2. The City Council shall reconvene into Open Session and take any action arising from Executive Session:

- A. pursuant to Texas Government Code section 551.071(1)(A), consultation with City Attorney to seek legal advice regarding pending litigation: *Lucas Benson v. City of Glenn Heights, Texas, et al*, Cause No. DC-22-02743 in the 101st Judicial District Court, Dallas County, Texas.

Mayor Harry A. Garrett announced that City Council reconvened into Open Session and that action would be taken on the Executive Session item. The time was 9:47 P.M.

Council Member Travis Bruton made a motion authorizing the City Manager to execute an Engagement Letter retaining the Law Firm of Walker Bright to provide a defense of the City and David Hall against all claims raised in a lawsuit filed by Lucas Benson, Cause No. DC-22-02743, and further that all legal expenses for the City and for David Hall, including the defense of any claims against Mr. Hall in his individual capacity, shall be paid by the City based on the Council's determination that one, payment of the legal fees serves a public interest, not merely Mr. Hall's private interests, and two, Mr. Hall committed the alleged allegations or admissions forming the basis of the lawsuit while acting in good faith within the scope of his official duties. 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

## **ADJOURNMENT**

Council Member Travis Bruton made a motion to adjourn. Mayor Pro Tem Sonja A. 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 Harry A. Garrett adjourned the meeting at 9:49 P.M.

  
\_\_\_\_\_  
Harry A. Garrett, Mayor

Attest:

  
\_\_\_\_\_  
Brandi Brown, City Secretary  
Passed and approved on the 19<sup>th</sup> day of April 2022