

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

**February 15, 2010**

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

On this the 15<sup>th</sup> day of February, 2010 the City Council of the City of Glenn Heights met in a regular meeting at the Glenn Heights City Hall in Glenn Heights, Texas located at 1938 S. Hampton Road with the following members present:

**CITY COUNCIL:**

|                     |   |                |
|---------------------|---|----------------|
| Clark Choate        | * | Mayor          |
| Doug Burton         | * | Council Member |
| Dan Freeman         | * | Council Member |
| Kathy Dixon         | * | Council Member |
| Mary Ann Chancellor | * | Council Member |

|               |                     |   |                                  |
|---------------|---------------------|---|----------------------------------|
| <b>STAFF:</b> | Jacqueline L. Lee   | * | City Manager                     |
|               | Othel Murphree      | * | City Secretary                   |
|               | Phillip Prasifka    | * | Chief of Police                  |
|               | Paul Tedesco        | * | Director of Economic Development |
|               | Brandon Montgomery  | * | City Planner                     |
|               | Kristen Smith-Davis | * | Director of Human Resources      |

**CONSULTANTS:**

|                  |   |          |
|------------------|---|----------|
| Bonnie Goldstein | * | Attorney |
|------------------|---|----------|

|                |                |   |                |
|----------------|----------------|---|----------------|
| <b>ABSENT:</b> | Chance Harvey  | * | Mayor Pro Tem  |
|                | Victor Pereira | * | Council Member |

Mayor Choate called the meeting to order at 7:32 p.m.

**INVOCATION:** Reverend Taylor gave the invocation.

**PRESENTATION:** **AFRICAN-AMERICAN HISTORY MONTH** by Ms. Henderson's 2<sup>nd</sup> grade class from Shields Elementary (Red Oak ISD)

**PROCLAMATION:** **"SEVERE WEATHER AWARENESS WEEK"**

**PUBLIC COMMENTS:**

Jimmy Culberson, Applicant on T & J's Beer Liquor and Wine LLLP – 107 Ovilla Road – favor of the SUP – providing for the sale of consumables.

Joe Merrit, 8235 Douglas Ave, Suite 1010, Dallas, Texas – Discussed the current rental status of the Glenn Heights Plaza.

Ken Baca, YMCA Drive, Waxahachie, Texas – Concerned about the distance from the 107 Ovilla Road to Red Oak ISD property line.

Scott Niven, Superintendent of Red Oak ISD – concerned about the location of 107 Ovilla Road in relationship to the Red Oak ISD property line.

**CONSENT AGENDA**

1. Consider and approve the Minutes of February 1, 2010 regular meeting and February 9, 2010 Town Hall meeting.

Councilwoman Chancellor moved to approve the minutes of February 1, 2010 regular meeting and February 9, 2010 Town Hall meeting with corrections. Councilman Burton made the second. The motion carried with the following vote:

**VOTE:        5        Ayes – Burton, Dixon, Freeman, Choate, and Chancellor**

**AGENDA**

2. Update on the Super Bowl 2011 by Mayor Choate.

Mayor Choate gave a brief report on future meetings on the Super Bowl 2011.

3. Public hearing to receive testimony relative to a request for an amendment to the City's Zoning Ordinance, Ordinance No. O-03-09, by changing the zoning classification on approximately 2.206 acres of land described as Lot 2, Block 1 of the Glenn Heights Plaza Addition, Glenn Heights, Ellis County, Texas, recorded in Cabinet B, Slide 437 of Plat Records zoned Retail "R" by allowing a Specific Use Permit for retail sale of consumables at the property located at 107 W. Ovilla Rd.

Councilwoman Chancellor moved to open the public hearing. Councilwoman Dixon made the second. The motion carried with the following vote:

**VOTE:        5        Ayes – Burton, Dixon, Freeman, Choate and Chancellor**

Mayor Choate opened the public hearing at 8:03 p.m.

The following individuals spoke for or against the application:

Todd Little, Red Oak, Texas voiced concerns about the location and the hours of operation.

Ben Little – voiced concerns about the location being too close to the Red Oak ISD property.

Councilwoman Chancellor moved to close the public hearing. Councilman Burton made the second. The motion carried with the following vote:

**VOTE: 5 Ayes – Burton, Dixon, Freeman, Choate and Chancellor**

Mayor Choate closed the public hearing at 8:15 p.m.

**Closed Session:**

Councilman Freeman moved to go into a closed meeting pursuant to Chapter §551 in accordance with the authority contained in §551.071, Government Code, to seek advice of legal counsel concerning issues related to 107 W. Ovilla – SUP. Councilwoman Chancellor made the second. The motion carried with the following vote:

**VOTE: 5 Ayes – Burton, Dixon, Freeman, Choate, and Chancellor**

**The City Council convened into a closed meeting at 8:15 p.m.**

Councilwoman Dixon moved to come out of closed session. Councilman Burton made the second. The motion carried with the following vote:

**VOTE: 5 Ayes – Burton, Dixon, Freeman, Choate, and Chancellor**

Mayor Choate called the meeting back to order at 8:43 p.m. with no action as a result of the closed meeting.

4. Consider and approve Ordinance O-01-10 amending the Zoning Ordinance, by changing the Official Zoning Map and the zoning classification on approximately 2.206 acres of land described as Lot 2, Block 1 of the Glenn Heights Plaza Addition, Glenn Heights, Ellis County, Texas, recorded in Cabinet B, Slide 437 of Plat Records zoned Retail "R" by allowing a Specific Use Permit for retail sale of consumables at the property located at 107 W. Ovilla Road.

Councilman Freeman moved to table action Ordinance O-01-10 until March 1, 2010. Councilman Burton made the second. The motion carried with the following vote:

**VOTE: 5 Ayes – Burton, Dixon, Freeman, Choate, and Chancellor**

5. Consider and approve Ordinance O-02-10 amending Chapter 12, "Traffic and Vehicles," Article 12.03., "Speed Regulations," Section 12.03.003, "School Zones" of the City of Glenn Heights Code of Ordinances, by establishing a School Zone Speed Limit of 20 M.P.H. for Curtistene S. McCowan Middle School on a portion of Majestic Meadows Drive and a portion of Wynnewood Drive; by establishing a School Zone Speed limit of 30 M.P.H. for Curtistene S. McCowan Middle School on a portion of South Westmoreland Road; Amending Section 12.04.001 to provide for Stop Signs on East and Westbound Wynnewood Drive at Majestic Drive; directing the posting of appropriate signage; providing a severability clause; and establishing an effective date.

Councilman Freeman moved to approve Ordinance O-02-10 amending Chapter 12, "Traffic and Vehicles," Article 12.03., "Speed Regulations," Section 12.03.003, "School Zones" of the City of Glenn Heights Code of Ordinances, by establishing a School Zone Speed Limit of 20 M.P.H. for Curtistene S. McCowan Middle School on a portion of Majestic Meadows Drive and a portion of Wynnewood Drive; by establishing a School Zone Speed limit of 30 M.P.H. for Curtistene S. McCowan Middle School on a portion of South Westmoreland Road; Amending Section 12.04.001 to provide for Stop Signs on East and Westbound Wynnewood Drive at Majestic Drive; directing the posting of appropriate signage; providing a severability clause; and establishing an effective date. Councilman Burton made the second. The motion carried with the following vote:

**VOTE:**        4        **Ayes** – Burton, Dixon, Freeman, and Chancellor  
                  1        **Nay** - Choate

6. Consider and approve Resolution R-04-10 approving and ratifying the Bylaws adopted by the North Ellis County Coalition of Cities (NECCC), and reaffirming its support of that organization.

Councilwoman Dixon moved to approve Resolution R-04-10 approving and ratifying the Bylaws adopted by the North Ellis County Coalition of Cities (NECCC), and reaffirming its support of that organization. Councilman Freeman made the second. The motion carried with the following vote:

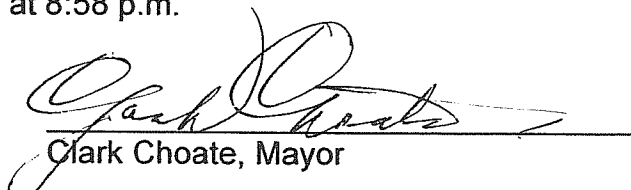
**VOTE:**        5        **Ayes** – Burton, Dixon, Freeman, Choate, and Chancellor

## 7. ADJOURNMENT

Councilman Freeman moved to adjourn. Councilwoman Dixon made the second. The motion carried with the following vote:

**VOTE:**        5        **Ayes** – Burton, Freeman, Dixon, Choate, and Chancellor,

Mayor Choate adjourned the meeting at 8:58 p.m.

  
Clark Choate, Mayor

Attest:

  
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Othel Murphree, City Secretary

**Passed and approved the 1st day of March, 2010.**

