

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

**April 6, 2009**

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

On this the 6<sup>th</sup> day of April, 2009 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
Dan Freeman	*	Council Member
Kathy Dixon	*	Mayor Pro Tem
Mary Ann Chancellor	*	Council Member
Victor Pereira	*	Council Member

**STAFF:**

Jacqueline Lee	*	City Manager
Othel Murphree	*	City Secretary
Phillip Prasifka	*	Chief of Police
Chris Shook	*	Fire Chief
Judy Bell	*	Executive General Manager for Planning and Municipal Services
Bonnie Goldstein	*	Attorney

**ABSENT:** Chance Harvey \* Council Member

Mayor Choate called the meeting to order at 7:30 p.m.

**INVOCATION:** Councilman Pereira gave the invocation.

**PUBLIC COMMENTS:**

Kathy Dixon, 2401 Lake Ridge Road – Thanked everyone that helped with the “Trash Off”.

Clark Choate, 426 Pearly Top – Use of the Stimulus Funds

**6. EXECUTIVE SESSION**

Executive Session, pursuant to Chapter §551. Texas Local Government Code V.T.C.S. (OPEN MEETINGS LAW), in accordance with the authority contained in Section §551.071 Legal, Section §551.072 Real Estate AND Section §551.074 Personnel.

A. Pursuant to Sec. §551.071, Government Code, consultation with attorney regarding contemplated or pending litigation - DEDIE LEAHY & COMPANY.

Councilman Pereira moved to go into executive session pursuant to Sec. §551.071, Government Code, consultation with attorney via telephone regarding contemplated or pending litigation - DEDIE LEAHY & COMPANY. Mayor Pro Tem Dixon made the second. The motion carried with the following vote:

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

The City Council convened in to Executive Session at 7:41 p.m.

7. Reconvene in Regular Session and Consider any Official Action as a result of the Executive Session.

Councilman Freeman moved to come out of Executive Session. Councilwoman Chancellor made the second. The motion carried with the following vote:

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

Mayor Choate called the meeting back to order at 8:41 p.m.

Councilwoman Chancellor moved that the City Manager work with the City Attorney as discussed in the Executive Session to resolve the issue. Councilman Pereira made the second. The motion carried with the following vote:

**VOTE: 4 Ayes** – Freeman, Choate, Chancellor, and Pereira  
**1 Abstain** – Dixon

**CONSENT AGENDA**

1. Consider and approve the Minutes of March 16, 2009 regular meeting.

Councilwoman Chancellor moved to approve the minutes with corrections. Councilman Freeman made the second. The motion carried with the following vote:

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

## AGENDA

2. Public Hearing to receive testimony concerning a comprehensive amendment to and reorganization of the City's Zoning Ordinance, Ordinance No. O-10-08, relative to establishing the General Provisions; Administrative Mechanisms; Comprehensive Master Plan Amendment procedures; Zoning Amendments, Appeals, and Variances, including notice and protest provisions; Temporary Zoning – Annexed Territory; Nonconforming Conditions, Amortization and Termination provisions; Building Permits, Certificates of Occupancy and Compliance; Concept Plan and Site Plan Review Processes; Zoning Districts; Zoning District Map; Permitted Uses, including Use Chart; Supplemental Development Regulations; Off-Street Parking and Loading Requirements; Minimum Zoning Design Criteria; Temporary Uses and Permits; Basic Definitions and Interpretations; and Enforcement and Review.

Councilman Freeman moved to open the Public Hearing. Councilwoman Chancellor made the second. The motion carried with the following vote:

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

Mayor Choate opened the public hearing.

There being no testimony Council Pereira made a motion to close the public hearing. Councilman Freeman made the second. The motion carried with the following vote:

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

Mayor Choate closed the public hearing.

3. Consider Ordinance O-03-09 of the City of Glenn Heights, Texas, repealing in its entirety Ordinance O-10-08 adopted on the 21<sup>st</sup> day of April, 2008, together with all amendments thereto, establishing and providing Zoning Regulation; creating Use Districts in accordance with the Comprehensive Plan approved by the City Council; regulating within such Districts the height of buildings and structures, the size of yards and courts and open spaces and the height, bulk, exterior elevations and use of buildings and land for Nonresidential, Residential and other purposes; providing for Specific Use provisions; specifying minimum requirements for off-street parking of motor vehicles and off-street loading areas; providing minimum required floor areas for dwelling units and the type of exterior construction within certain zoning districts; regulating the density of dwelling and other structures and the percentage of each lot that may be occupied by structures; adopting performance standards for Nonresidential Uses; establishing the basis for creating a building site; providing for Concept and Site Plan approval; providing Screening Regulations; providing Special Access Standards; adopting a Zoning District Map and making it a part of this Ordinance, together with all Symbols, Markings and Tables appearing on said Map and within the Ordinance; creating a Zoning Board of Adjustments and defining its powers and duties; creating a Planning and Zoning Commission and defining its powers and duties; providing for Non-Conforming Uses and a method of discontinuance thereof; defining certain terms as used within this Ordinance; providing for a Certificate of Occupancy and Compliance; authorizing publication of the descriptive Caption and penalty clause; providing for a penalty not

to exceed Two Thousand Dollars (\$2,000.00) for each and every offense; providing a savings clause; preserving rights in pending litigation regarding violations under the existing Ordinance, and providing an enacting clause and an effective date. **First Reading**

Councilwoman Chancellor moved to approve Ordinance O-03-09. Councilman Freeman made the second. The motion carried with the following vote:

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

**4.** Consider approving Resolution R-04-09 authorizing application for a Grant through the United States Department of Justice, Office of Community Oriented Policing Services (COPS).

Councilwoman Chancellor moved to approve Resolution R-04-09 authorizing application for a Grant through the United States Department of Justice, Office of Community Oriented Policing Services (COPS). Councilman Freeman made the second. The motion carried with the following vote:

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

**5.** Public Safety Workshop – Fire.

Skipped

**8.** ADJOURNMENT.

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

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

Mayor Choate adjourned the meeting at 9:05 p.m.

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Clark Choate, Mayor

Attest:

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Othel Murphree, City Secretary

**Passed and Approved 20<sup>th</sup> day of April, 2009.**