

Duncanville City Council Meeting Minutes

Regular Meeting

Tuesday, February 15, 2022

CALL TO ORDER

A regular meeting of the Duncanville City Council was called to order on Tuesday, February 15, 2022, at 6:00 pm in the Council Briefing Room at City Hall with a quorum to wit:

COUNCIL PRESENT: Mayor Barry L. Gordon
Mayor Pro Tem Patrick Harvey
Councilmember Don McBurnett
Councilmember Jeremy Koontz
Councilmember Mark D. Cooks
Councilmember Greg Contreras

COUNCIL ABSENT: Councilmember Joe Veracruz

SUPPLEMENTAL NOTICE OF MEETING BY VIDEO CONFERENCE

In accordance with an Order of the Office of the Governor issued on March 16, 2020, as extended, the City Council for the City of Duncanville, Texas will conduct a City Council Regular Meeting in person and by video conference at 6:00 pm on Tuesday, February 15, 2022, in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") in an effort to slow the spread of the Coronavirus (COVID-19) pandemic.

This is an open meeting conducted by in person and video conference.

Due to limited seating in council chambers, persons or participants may attend by video conference in order to maintain safe social distance as provided in this notice.

To speak by video conference during Citizen Comments, you must register with the City Secretary before 4 pm on Tuesday, February 15, 2022, email citysecretary@duncanville.com and title the email. "Public Comment – February 15. You will need to register with the link below to attend the meeting by video conference. During the Citizen Comments period of the agenda, the City Secretary will call your name and allow access to your camera and microphone. Feel free to email your citizen comment to the City Secretary when registering for the Mayor to read into the record if any unexpected technical issues arise.

In order for your Comments to be read the following information is required:

- Email title: Public Comment – February 15;
- First and Last Name;
- Address; and
- State if you would like the Mayor to read your comment or if you would like to speak via ZOOM.

Register in advance for this webinar:

https://us02web.zoom.us/webinar/register/WN_LZGmT_AYQxuPcHXv4GtYrw

After registering, you will receive a confirmation email containing information about joining the webinar.

I. WORK SESSION / BRIEFING

I.1. DISCUSS AGENDA ITEMS

Mayor Gordon read the item into the record, and City Manager Ferrell-Benavides reviewed each item. Mayor Gordon stated the Recognition of the Mayor's City Champion would be moved after The Pledge of Allegiance and Texas Pledge. Councilmember Contreras requested the City Council calendar be placed on the upcoming agendas. Councilmember McBurnett requested Item 5D be moved to the Consent Agenda.

I.2. BRIEFINGS / PRESENTATIONS

I.2.A. *Discuss upcoming improvements to Armstrong Park through the 2018 Parks Bond Election.*

Parks and Rec Director Stevenson introduced Adam Brewster with Dunaway.

Mr. Brewster presented the plans for the playground; construction will be between Spring 2022 - Spring 2023.



Mayor Gordon recessed Briefing Session at 6:32 pm for City Council to convene into Executive Session.

II. EXECUTIVE SESSION

- II.1** ***“City Council shall convene into closed executive session pursuant to Section 551.087 of the Texas Government Code to deliberate and conduct business negotiations for an offer of a financial or other incentives to a business prospect to locate, stay, expand or improve a development within the territorial limits of the City.”***

The Executive Session was called into session at 6:36 pm and City Attorney Hager read the item into record.

The Council recessed the Executive Session at 7:00 pm.

III. REGULAR SESSION - CONVENE INTO THE COUNCIL CHAMBERS (7:00 pm or immediately following the 6:00 pm Work Session/Briefing)

The City Council convened into Regular Session in the Council Chambers at 7:03 pm with Mayor Gordon presiding.

The Invocation was delivered by Ginger Hertenstein Conley, First Presbyterian Church.

Mayor Gordon led the Pledge of Allegiance and Texas Pledge.

III.2. PROCLAMATIONS AND PRESENTATIONS

III.2.A. *Recognition of Mayor's City Champion.*

Mayor Gordon recognized Tim Maiden as the City Champion.

III.1. REPORTS

III.1.A. *Mayor's Report.*

Mayor Gordon thanked and recognized the local businesses who fed City Staff during the ice storm.

Mayor Gordon invited everyone to attend:
Coffee with the Mayor
Senior Center
January 23, 2022
8:30 am.

III.1.B. Councilmembers' Reports

Councilmember Cooks encouraged District 4 citizens to attend:
Meet, Connect, and Learn
Library Meeting Rooms
February 26, 2022
9:00 am.

Councilmember McBurnett offered his condolences on the passing of George Turner.

Councilmember Contreras offered his condolences on the passing of George Turner.

III.1.C. City Manager's Report.

City Manager Ferrell-Benavides encouraged citizens to attend:
Keep Duncanville Beautiful
February 19, 2022,
8:00 – 11:00 a.m.
To clean up the vacant, city-owned land just north of Daniieldale Rd. between Cedar Hill Rd. & Santa Fe Rd. (627 W. Daniieldale Rd.).

III.2. PROCLAMATIONS AND PRESENTATIONS

III.2.A. Recognition of Mayor's City Champion.

Item moved after The Pledge of Allegiance and Texas Pledge.

III.3. CITIZENS' INPUT

"Pursuant to Section 551.007 of the Texas Gov't Code, any member of the public has the opportunity to address the City Council concerning any matter of public business or any posted agenda item; however, the Act prohibits the City Council from deliberating any issues not on the public agenda and such non-agenda issues may be referred to City staff for research and any future action; all persons addressing are subject to council adopted rules and limitations permitted by law"

To address the Council, please submit a fully-completed request card to the City Secretary prior to the beginning of the Citizens' Input portion of the Council meeting.

To speak by video conference during Citizen Comments, you must register with the City Secretary before 4 pm on Tuesday, February 15, 2021, email citysecretary@duncanville.com and title the email. "Public Comment – February 15. You will need to register with the link below to attend the meeting by video conference. During the Citizen Comments period of the agenda, the City Secretary will call your name and allow access to your camera and microphone. Feel free to email your citizen comment to the City Secretary when registering for the Mayor to read into the record if any unexpected technical issues arise.

The City Secretary will still set a two-minute time limit on the comments as they are read.

Mayor Gordon read the item into record. The following spoke during the Citizens Input Period:

Ron McCarty, PO Box 381817 - submitted a comment on Item 5B.

Nathan Roach, 203 East Wheatland Road - submitted a comment on Item 5B.

Patricia Ebert, 115 South Greenstone Lane - submitted a comment on campaigning during Elections.

Gary Bennett, 215 Calder Ave - submitted a comment on litter in the City.

III.4. CONSENT AGENDA

Mayor Gordon requested that City Secretary Kristin Downs read the Consent Agenda Items.

III.4.A. *Consider the Minutes for the Date, Year City Council Regular Meeting.*

Councilmember Don McBurnett made a motion to approve the item as stated, Mayor Pro Tem Patrick Harvey seconded the motion. The vote was cast 6 for, 0 against, with Councilmember Joe Veracruz absent.

III.5. ITEMS FOR INDIVIDUAL CONSIDERATION

III.5.A. *Consider an Ordinance amending Chapter 16A "Sign Guidelines", Article II 'Definitions', Section 16A-5 'Definitions' by amending definition for 'Canvassing', by amending the definition from 'Electioneering Sign' to 'Election Sign'; by amending the definition of 'Political Sign'; by amending Chapter 16A "Sign Guidelines", Article VIII 'Rules for Specific Sign Types', Section 16A-35 'Political Signs' by repealing Section 16A-35 in its entirety and replacing it with a new Section 16A-35 'Political and Election Signs'.*

Mayor Gordon allowed citizen Erika Browning to provide a citizen comment.

Erika Browning, 442 East Cherry Street - spoke on Armstrong Park and questioned if political flags exceeding 8 feet were allowed.

City Planner Thibodeaux presented the item.

Proposed Amendments:

- Changing the section-moniker from "Political Sign" to "Political and Election Sign" in order to be more specific about the type of signs being regulated by this Ordinance.
- Amending the definition from "Electioneering Sign" to "Election Sign."
- Amending the definition for "Political Sign."
- Amending the Rules for Specific Sign Types (Article VIII) to reflect the proposed changes.

Councilmember Mark D. Cooks made a motion to approve the item as stated, Mayor Pro Tem Patrick Harvey seconded the motion. The vote was cast 6 for, 0 against, with Councilmember Joe Veracruz absent. Item passed.

III.5.B. *Consider amending Ordinance 2024 by deleting an Assistant Chief Position under Civil Service in the Police and Fire Departments; repealing all Ordinances in conflict herewith.*

Mayor Gordon allowed citizen Andrew Armstrong to provide a citizen comment.

Andrew Armstrong, PO Box 381817 – spoke on the removal of an Assistant Chief position.

Assistant City Manager Robert D. Brown Jr. presented the item and spoke on the current funding payouts for a total of \$198,000.00.

Mayor Gordon stated the addition of the second Assistant Chief of Police is an unfunded position. The position does not need to be eliminated, and no action is required on the item.

III.5.C. *Consider a Resolution to confirm the appointment of Mark LiVigni as Police Chief effective February 15, 2022.*

Assistant City Manager Brown presented the item.

Councilmember Cooks requested the City Manager look at the policies in the future on residency or living within a certain distance from the City.

Councilmember Don McBurnett made a motion to approve the item as stated, Councilmember Greg Contreras seconded the motion. The vote was cast 6 for, 0 against, with Councilmember Joe Veracruz absent.

III.5.D. Consider a Resolution approving Amendment No. 1 to the Interlocal Agreement with the City of Dallas for Intersection Traffic Control Operations and Maintenance.

Item was moved to the Consent Agenda.

III.5.E. Take any necessary action as a result of the Executive Session.

III.6. STAFF AND BOARD REPORTS

III.6.A. Receive the Library Quarterly Report.

Library Director Velasquez presented the item.

III.6.B. Receive the Fiscal Year 2022 First Quarter Investment Report as of December 31, 2021.

Financial Services Managing Director Atmore presented the item.

III.6.C. Receive Police Department 2021 Racial Profiling Report.

Assistant Chief of Police Stogner presented the item. The City of Duncanville is fully compliant.

Mayor Gordon recessed the Regular Session at 8:19 pm.

Mayor Gordon reconvened Executive Session at 8:25 pm.

Mayor Gordon adjourned Executive Session at 9:17 pm.

Mayor Gordon reconvened Regular Session at 9:18 pm.

III.5.E. Take any necessary action as a result of the Executive Session.

No action was taken.

IV. ADJOURNMENT

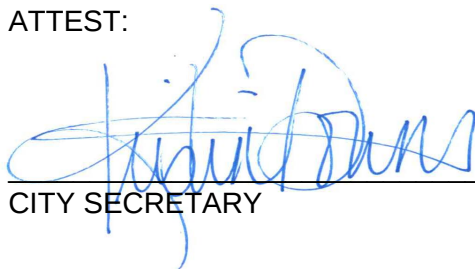
The meeting was adjourned at 9:19 pm.

APPROVED:



MAYOR

ATTEST:



CITY SECRETARY