

Duncanville City Council Meeting Minutes

Special Meeting

Monday, March 7, 2022

CALL TO ORDER

A special meeting of the Duncanville City Council was called to order on Monday, March 7, 2022, at 6:01 pm in the Council Chambers at City Hall with a quorum to wit:

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

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 Special Meeting in person and by video conference at 6:00 pm on Monday, March 7, 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.

Pursuant to City practice, Citizen Comments and Reports during Election Season, March 1st – May 7th and during a Run-Off Election period are not broadcast or recorded. ZOOM will be for streaming only.

To submit a comment via email and for your comments to be read, the following information is required:

- Submit a comment by 4:00 pm on Monday, March 7, 2022.
- Email citysecretary@duncanville.com
- Email title: Public Comment – March 7th.
- First and Last Name; and address.
- *The City Secretary will still set a two-minute time limit on the comments as they are read.*

Register in advance for this webinar:

https://us02web.zoom.us/webinar/register/WN_anUDR8w9Q2603KofxAuQaQ

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

A recording of the video meeting will be made available to the public in accordance with the Open Meetings Act upon written request.

1. CALL TO ORDER.

WORK SESSION / BRIEFING

Citizen comments will not be heard during the Work Session/Briefing but will be heard during the Regular Session.

2. BRIEFINGS / PRESENTATIONS

A. Presentation and overview of the history and status of Property located at 609 W. Daniieldale Road, Duncanville, Texas.

City Manager Ferrell-Benavides and Economic Development Director Garcia presented the item.

History of Property 1929-1959 – Landowner and Use

- William Brecheen Hamilton (August 23, 1874 - August 2, 1951)
 - o Owned lands aggregating approximately 746 acres situated in Dallas County, Texas

- He began his career as a ranch owner in 1928 when he established his holdings on the Cedar Hill Road, where he made his home
- Judge William B. Hamilton donated acreage in 1936 and 1951 to Little Bethel Cemetery.
 - o His wife Cleo Mason Hamilton managed the cemetery for many years
- March 24, 1959: Ms. Cleo Mason Hamilton, his wife inherited the land upon his death (1952) it was officially conveyed to Ms. Hamilton after it was contested by son.

History of Property – Pre-Donation

- 1/14/1985 Dal North Development Company acquires Land From Cleo Mason Hamilton for \$973,050.24 by Donald Gay
- 1/16/1985 Talon Ventures acquires Hamilton Property tract.
- Hamilton Property tract purchased in 1985 by Family Development Corporation.
- 4/16/1985 Talon Joint Ventures sells Hamilton property tract to Family Development Corporation. (Walnut Bend Plat is created)
- 1/20/1986 Family Development Corporation acquires Hamilton property tract
- Ordinance No. 1051, passed in January of 1986, and amended by Ordinance No. 1078 to include Exhibit “B” in August of 1986, zoned the Property as a Planned Development (Office-Retail).
- 1987 Family Development Corporation sold the Hamilton property tract to Banc Home Savings Association.
- 11/4/1987 Amwest Saving Association purchases multiple properties from Banc Home Savings Association in total purchase \$6,616,049. Hamilton Tract is included in the sale
- 2/23/1993 Amwest Savings Association sells Hamilton property tract to Bob & Trudy Ladd.

Donation to Present

- 4/2/1998 Bob Ladd Grants to the City land, with Restrictions. 21.21 Acres of the 42.419 must be used for Natural Trails, Botanical gardens, advancement of culture, ice rink artistic/educational purposes.
- 1999 & 2000 –Master Planned by City to facilitate the development
- 3/23/1999 –Letter of Intent Signed for new Dr. Pepper Stars Center
- 5/01/2019 City advertised RFP for development in May of 2019.
- 9/19/2019 Comprehensive plan identified the Property as an opportunity area in 2017.
- 6/17/2021 Council instructed City Manager to instruct staff to identify highest and best uses of all city property
- 9/7/2021 DCEDC Director presents Ladd Property to Council
- Present - City currently maintains the Property as an open space

Discussion continued on the existing deed language, letter of intent from the Dallas Stars, Master Plan, and why the land has not been developed.

Mayor Gordon recessed the Briefing Session at 6:41 pm for City Council to convene into Executive Session.

3. EXECUTIVE SESSION

- A. “City Council shall convene into closed executive session to consult with the City Attorney pursuant to the Section 551.071 of the Texas Government Code to seek legal advice on Agenda Item 5 and Agenda Item 6.

Reconvene into open session and take necessary action as a result of executive session.”

The Executive Session was called into session at 6:44 p.m., and City Attorney Hager reads item into record.

The Council closed the Executive Session at 7:02 pm.

REGULAR SESSION

The City Council convened into Regular Session in the Council Chambers at 7:07 pm with Mayor Gordon presiding.

4. 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"

At this time, two-minute comments will be taken from the audience on any topic. 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. In accordance with the Texas Open Meetings Act, the City Council cannot discuss issues raised or make any decisions at this time. Issues may be referred to City Staff for research and possible future action.

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Kate Wynn, 247 Merribrook Trail – submitted a comment on the Ladd Property.

Mark Croysdale, 1215 Wellington Drive – submitted a comment on the Ladd Property.

Robert Crawford, 610 Willowbrook Circle – submitted a comment on the Ladd Property.

Bonnie Cook, 554 Johnson Dr. – submitted a comment on the Ladd Property.

Alejandro Estrada, 213 Calder – spoke on the Ladd Property.

Maryanne Romano, 639 Sherrill – spoke on the Ladd Property.

Brenda Villarreal, 1427 Cardinal Creek – spoke on the Ladd Property.

Erika Browning, 442 E Cherry Street – spoke on the Ladd Property.

Jim Jones, 1627 Nob Hill Circle – spoke on the Ladd Property.

Shannon Scott Roberts, 906 Rock Canyon Drive – spoke on the Ladd Property.

Wesley Jameson, 1214 Lady Lane – spoke on the Ladd Property.

Mari Vega, 611 Oriole Blvd. – spoke on the Ladd Property.

5. **Presentation by City Secretary concerning the confirmation of a Petition filed on February 28, 2022, for an Initiative pursuant to Article IX, Recall, Initiative and Referendum, Sec. 9-13, Initiative of the Duncanville Home Rule Charter, concerning real Property purported to be located at 609 W. Daniieldale Road, Duncanville Texas.**

Hager presented the law and questioned City Secretary Downs on the review of the petition.

It was determined the petition was invalid and does not meet the requirements of the City Charter to pass an Ordinance or to call a Special Election.

Councilmember Cooks made a motion to accept the City Secretary's report to deny the petition, Councilmember Contreras seconded the motion. The vote was cast 7 for, 0 against. Item passed.

6. **Discuss, deliberate and approve a date whether or not to consider adoption of the draft ordinance presented and proposed by petition filed on February 28, 2022, pursuant to Article IX, Recall, Initiative and Referendum, Sec. 9-13, Initiative of the Duncanville Home Rule Charter, or, consider calling a special election to be held on the next available uniform date under the Texas Election Code adopting or rejecting the proposition in said petition.**

Item not needed due to petition not being valid.

7. **Deliberate and discuss options concerning the use, designation, and/or ownership of the Property located at 609 W. Danieldale Road, Duncanville, Texas; and/or provide direction to City Manager and/or City Attorney regarding said Property.**

City Manager Ferrell-Benavides presented the item.

City Council concluded to have a community-based committee to bring back recommendations to staff and Council.

City Attorney Hager read the motion:

A motion to establish a City Committee with the Mayor and Council appointing one member each with six members of the Ladd Preservation Advocacy to join those seven members and to make a recommendation to the City Council to utilize 609 West Danieldale Road being Lot One of Block A of the Walnut Bend Edition, in addition to the City of Duncanville, Texas to consider options one, two, three, four, five, and any other recommendations they would like to make concerning the Charles F. Ladd Property as described.

Councilmember Don McBurnett made the motion, Mayor Pro Tem Harvey seconded the motion. The vote was cast 7 for, 0 against.

City Council will provide their nominations to City Manager Ferrell-Benavides.

{Councilmember Veracruz left the meeting at 8:37 pm}

8. **Take any necessary action as a result of the Executive Session.**

No action taken.

IV. **ADJOURNMENT**

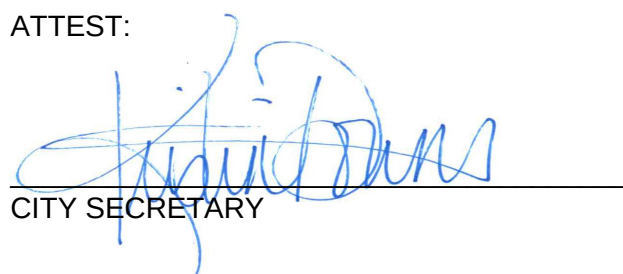
The meeting was adjourned at 8:37 pm.

APPROVED:



MAYOR

ATTEST:


CITY SECRETARY