

2017

MINUTES

LANCASTER CITY COUNCIL REGULAR MEETING OF OCTOBER 25, 2021

The City Council of the City of Lancaster, Texas, met in a called Regular Meeting in the Council Chambers of City Hall on October 25, 2021, at 7:00 p.m. with a quorum present to-wit:

Councilmembers Present (City Hall & Zoom):

Mayor Clyde C. Hairston
Carol Strain-Burk
Deputy Mayor Pro-Tem Stanley M. Jaglowski
Marco Mejia
Keithsha C. Wheaton
Mayor Pro-Tem Racheal Hill
Betty Gooden-Davis

City Staff Present (City Hall & Zoom):

Opal Mauldin-Jones, City Manager
Andrew Waits, Director of Public Works
Carey Neal, Assistant City Manager
Chris Youngman, Emergency Management Chief
Dori Lee, Director of Human Resources
Fabrice Kabona, Deputy City Manager
Jermaine Sapp, Director of Equipment and Facility Services
Kenneth Johnson, Fire Chief
Lisa Wube, Director of Parks and Recreation
Mike Delmore, Interim Director of Finance
Sam Urbanski, Police Chief
Shane Shepard, Director of Economic Development
Vicki Coleman, Director of Development Services
Bryce Reed, Communications and Public Relations Coordinator
Keturah Barnett, Assistant to the City Manager
Ron Gleaves, IT Manager
David T. Ritter, City Attorney
Sorangel O. Arenas, City Secretary

Call to Order:

Mayor Hairston called the meeting to order at 7:00 p.m. on October 25, 2021.

Invocation:

Bishop Clyde C. Hairston of Miracle Temple Fellowship Church gave the invocation.

Pledge of Allegiance:

Mayor Pro-Tem Racheal Hill led the pledge of allegiance.

Proclamations:

National Cybersecurity Awareness Month and Coach Beverly D. Humphrey & Lady Tigers Track Team Day proclamations.

Recognition of City Manager Opal Mauldin-Jones for being inducted into the 2021 National Academy of Public Administration (NAPA) as an Academy Fellow.

Public Testimony:

Michael Rosellini, 189 Historic Town Sq., spoke in opposition of item 11.

Charles Chapment, 600 N. Houston School Rd., spoke in favor of item 3 and 4.

Vic Buchanon, 1243 Margaret Ct., spoke in opposition of item 11 and asked to update the Downtown Overlay.

Suzi Weaver, 411 S. Centre, spoke in opposition of item 11 and shared the need to update the Downtown Overlay.

Richard Norwood, 501 S. Bluegrove, spoke in opposition of item 11.

Frank Mejia, 1500 W. Main St., shared his concern with people riding horses in the city limits and shared his opposition to item 11.

Irene Mejia, 1500 W. Main St., spoke in opposition of item 11 and asked to remove the Downtown Overlay.

Gilles Delaisse, 441 S. Dallas Ave., shared his support of item 11 and asked to keep the Downtown Overlay.

Mathew Eversole, 519 N. Henry St., wishes not to speak, however would like the record to show support for item 11.

Allyson Godfrey, 202 E. Pecan St., shared her support to keep the Downtown Overlay.

Daniel Holden, 1201 Shady Ln., shared his support to keep the Downtown Overlay.

Steve Stanford, 640 E. Main, shared his support to removing the Downtown Overlay.

Patricia Siegfried-Giles, 102 W. 7th St., shared her support for item 11 and ask to update the Downtown Overlay.

John Paules, 527 S. Dallas Ave., shared his opposition for item 11 and ask to update the Downtown Overlay.

Stephanie Rippe, 1708 S. Houston School Rd., wishes not to speak, however would like the record to show support for item 11.

Paul Laurens Wiseman, 329 S. Dallas Ave., wishes not to speak, however would like the record to show support for item 11.

Lindsey Lanier, 329 S. Dallas Ave., wishes not to speak, however would like the record to show support for item 11.

Susan Anderson, 529 N. Henry St., wishes not to speak, however would like the record to show support for item 11.

Dee Hinkle, 105 E. 5th St., wishes not to speak, however would like the record to show support for item 11.

Consent:

1. **Consider approval of minutes from the City Council Regular Meeting held on August 9, 2021, Special Meeting held on August 16, 2021, and Regular Meeting held on August 23, 2021.**
2. **Consider a resolution approving the terms and conditions of the 2021 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Funds Sharing and Fiscal Agency Agreement between the City of Lancaster and the County of Dallas, Texas to provide funds to prevent and control crime and to improve the criminal justice system.**

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro-Tem Jaglowski to approve Consent items 1-2. The vote was cast 7 for, 0 against.

Mayor Hairston share he would be moving to item 8 then follow the order of the agenda.

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Action:

- 8. Discuss and consider an ordinance authorizing the issuance of the "City of Lancaster, Texas General Obligation Refunding Bonds, Series 2021" and other matters related thereto.**

City Manager Mauldin-Jones shared Hilltop Security, the City's Financial Advisors, advise that based upon current market conditions, the City can refund ("refinance") some of its existing debt for interest savings. The bond issues that will be refinanced are the 2011 Certificates of Obligation and the 2012 General Obligation Refunding Bonds.

Hilltop Security Nick Bulaich gave a presentation.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro-Tem Hill to approve item 8. The roll call vote was cast 7 for, 0 against.

City Attorney advice to go into executive session pursuant to Texas Government Code Section 551.071 for items 3-7, Section 551.071 (1) (a) for items 7 and 12a and section 551.071 (1) (b) for item 12a.

The City Council recessed for Executive Session at 8:15 p.m. and reconvened into open session at 9:07 p.m.

No action taken.

Public Hearing:

- 3. M21-36 Conduct a public hearing and consider an amendment to the Future Land Use Plan of the Comprehensive Plan from Suburban Mixed-Use Center to Logistics/Distribution on an approximately 19.676 acres property located on the south side of West Wintergreen Road and Eastside of Longhorn Drive. The property is specifically addressed as 2620 West Wintergreen Road within the Maraday Parks Survey, Abstract 1120 City of Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones shared this is a request for rezoning from Agriculture Open (A-O) to Light Industrial (LI). The property is approximately 19.68 acres located on the south side of West Wintergreen Road and east side of Longhorn Drive. The property is specifically addressed as 2620 West Wintergreen Road. The Future Land Use Plan of the Comprehensive Plan identifies this site as Suburban Mixed-Use Center. The requested zoning change is not consistent with the 2016 Comprehensive Plan. This request to rezone the subject property from Agriculture Open to Light industrial for a logistics and distribution use. As noted in the above case history table, this item was last denied by the Planning & Zoning Commission on April 3, 2018, and the applicant withdrew the application before City Council action on the rezoning change request. The applicant is bringing back the zoning change request with a companion item (M21-19) requesting to amend Future Land Use Plan of the Comprehensive Plan from Suburban Mixed-Use Center to Logistics/Distribution for City Council consideration of the zoning request. The City's 2016 Comprehensive Plan identifies this site as suitable for Suburban Mixed-Use Center. The Suburban Mixed-Use Center is intended to create regional destinations, including entertainment venues, regional oriented retail and lifestyle centers. Suburban Mixed-Use Center primary land uses include regional retail, urban residential, senior housing, hotels, professional office, restaurants, multi-tenant commercial, live/work/shop units with secondary land uses such as civic and institutional uses as well as parks. The requested zoning change is therefore not consistent with the 2016 Comprehensive Plan. On September 19, 2021, a notice for this public hearing appeared in the Focus Daily Newspaper. There were no letters in opposition or support for this zoning change request received by staff. On October 5, 2021, the Planning and Zoning Commission recommended denial of the request to rezone the property from Agriculture Open (A-O) to Light Industrial (LI) and staff concurs with the Planning and Zoning Commission's recommendation.

Mayor Hairston opened the public hearing.

Marcus E. Knight, 1823 Athena Dr., shared his support for item 3 and 4.

Jordan Ryan with Capital Partners, 5950 Sherry Lane, shared his support for item 3 and 4.

Michael Bridgefail with Capital Partners, 5950 Sherry Lane, did not wish to speak, however would like to record his support for item 3 and 4.

Stewart Elliott with Capital Partners, 5950 Sherry Lane, shared his support for item 3 and 4. He presented maps to Council.

Greg Potter with Capital Partners, 5950 Sherry Lane, shared his appreciation to council for considering item 3 and 4.

MOTION: Councilmember Mejia made a motion, seconded by Deputy Mayor Pro-Tem Jaglowski to close the public hearing. The vote was cast 7 for, 0 against.

Deputy Mayor Pro Tem Jaglowski commented this property is in district 2. He shared his support for the comprehensive plan however believes the comprehensive plan can be changed and amended to allow growth.

Councilmember Mejia shared his support for item 3. He shared this development would bring jobs, could increase day time population and could increase the trade area.

MOTION: Deputy Mayor Pro-Tem Jaglowski made a motion, seconded by Councilmember Mejia to approve item 3. The vote was cast 6 for, 1 against [Hairston].

- 4. Z21-19 Conduct a public hearing and consider a rezoning request from Agriculture Open (A-O) to Light Industrial (LI). The property is approximately 19.68 acres located on the south side of West Wintergreen Road and east side of Longhorn Drive. The property is specifically addressed as 2620 West Wintergreen Road within the Maraday Parks Survey, Abstract 1120 City of Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones shared this was a companion item for item 3, amendment to the Future Land Use plan of the Comprehensive Plan from Suburban Mixed-Use Center to Logistics/Distribution on an approximately 19.676 acres property located on the south side of West Wintergreen Road and Eastside of Longhorn Drive. The property is specifically addressed as 2620 West Wintergreen Road. She shared if the City Council should approve this item it would require that during the site development process that the applicant would be required to dedicate right of way. On September 19, 2021, a notice for this public hearing appeared in the Focus Daily Newspaper. There were no letters in opposition or support for this zoning change request received by staff, however there were speakers at the public hearing. On October 5, 2021, the Planning and Zoning Commission recommended denial of the request to amend the Future Land Use Plan of the 2016 Comprehensive Plan and staff concurs with the Planning and Zoning Commission's recommendation. when a proposed zoning request is heard by the City Council that has been denied by the Planning and Zoning Commission, a three-fourths (3/4) majority vote by the City Council shall be required for approval". Since the Planning and Zoning Commission recommended denial of this item, a super majority (6 of 7 members) is required for approval of this Comprehensive Plan Amendment request.

Councilmember Mejia shared the Planning and Zoning denial was based on the comprehensive plan and since approval of item 3 updated the comprehensive plan item 4 should be considered.

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Mayor Hairston opened the public hearing.

Greg Potter with Capital Partners, 5950 Sherry Lane, shared his support for item 4.

Jordan Ryan with Capital Partners, 5950 Sherry Lane, shared his support for item 4.

MOTION: Deputy Mayor Pro-Tem Jaglowski made a motion, seconded by Councilmember Mejia to close the public hearing. The vote was cast 7 for, 0 against.

MOTION: Deputy Mayor Pro-Tem Jaglowski made a motion, seconded by Councilmember Mejia to approve item 4. The vote was cast 6 for, 1 against [Hairston against].

Mayor Hairston recused himself from item 5.

5. .Z21-13 Conduct a public hearing and consider a rezoning request from Retail (R) to Commercial Service (CS). The property is located on the south side of Pleasant Run Road and 251 feet west of Westridge Avenue. The property is specifically addressed as 720 West Pleasant Run Road, City of Lancaster, Dallas County, Texas.

City Manager Mauldin-Jones shared this is a request to rezone the subject property from Retail (R) to Commercial Service (CS) for a mechanic garage shop, tire and auto service use. The applicant currently owns the auto service shop to the east of the subject property and desires to extend the business to this vacant site. The Future Land Use Map of the Comprehensive Plan identifies this site as Commercial Node. The City's 2016 Comprehensive Plan identifies this site as suitable for Commercial Node. Commercial Node is intended for community and regional commercial centers at major intersections or corridors. The description above on CS zoning district highlights that CS permitted uses that would be objectionable in the other commercial districts; uses that causes large volumes of truck traffic with outside operations and storage of materials and equipment, either for sale or as part of the business is what this business would extend. In addition, CS allow uses that have excessive noise from heavy service operations and aspects that are similar to industrial uses. The requested zoning change to CS would not be consistent with community and regional commercial centers requested zoning change to CS would not be consistent with community and regional commercial centers as envisioned by the Future Land Use Map of the 2016 Comprehensive Plan. West Pleasant Run Road is a major thoroughfare that runs through the community, adjacent to the newly renovated middle school and residential community. This use is not consistent with a major thoroughfare or community vision. Based upon an analysis of the five (5) considerations that must be taken into consideration when reviewing a change in zoning application, staff recommends denial of proposed rezoning due to the adverse effects that the zoning change will cause on the potential development and re-development of adjacent properties as articulated above under Consistency with the Comprehensive Plan as well as Potential Impact on Adjacent Development. Additionally, the zoning exhibit is not reflective of the comments regarding standards provided by staff to the applicant. Based upon an analysis of the five (5) considerations that must be taken into consideration when reviewing a change in zoning application, staff recommends denial of proposed rezoning due to the adverse effects that the zoning change will cause on the potential development and re-development of adjacent properties as articulated above under Consistency with the Comprehensive Plan as well as Potential Impact on Adjacent Development. Additionally, the zoning exhibit is not reflective of the comments regarding standards provided by staff to the applicant. On September 19, 2021, a notice for this public hearing appeared in the Focus Daily Newspaper. Staff also mailed notifications of this public hearing to property owners within 200 feet of the subject site and zoning signs were placed on the property. There were no letters in opposition or support for this zoning change request. On October 5, 2021, the Planning and Zoning Commission recommended denial of the request to rezone the property from Retail to Commercial Service and staff concurs with the Planning and Zoning Commission's recommendation.

Mayor Pro-Tem Hill opened the public hearing.

There were no speakers.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Mejia to close the public hearing. The vote was cast 6 for, 0 against [Hairston recused].

Deputy Mayor Pro Tem Jaglowski shared this is an opportunity for a local business owner to expend his business. He shared he respects Planning and Zoning and staff decision, however his is an opportunity for this local business owner.

Councilmember Strain-Burk asked if this item is approved what are the stipulations?

Director of Development Services Coleman shared they would have to meet the standards of the ordinance as it relates to landscaping.

MOTION: Councilmember Mejia made a motion, seconded by Deputy Mayor Pro-Tem Jaglowski to approve item 5. The vote was cast 6 for, 0 against [Hairston recused].

- 6. Z21-15 Conduct a public hearing and consider a Specific Use Permit (SUP) request for a gas station with six (6) fuel dispensers; fast food restaurant, retail stores, and convenience store to be located within 150 feet of a residential district on a property located on the southwest corner of West Wintergreen Road and North Houston School Road. The property is more particularly described as a tract of land situated in the Marady Parks Survey, Abstract No. 1120, City of Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones shared this is a request to consider a Specific Use Permit (SUP) for a gas station with six (6) fuel dispensers; a fast-food restaurant, retail stores, and a convenience store to be located within 150 feet of a residential district at the southwest corner of West Wintergreen Road and North Houston School Road. The City's 2016 Comprehensive Plan identifies this site as suitable for regional commercial development. The proposed combination is not consistent with the Future Land Use Plan of the 2016 Comprehensive Plan's designation for regional commercial development. Lancaster Development Code (LDC) Regulations states that: A retail store with more than two (2) fuel dispensers requires a SUP in the Retail zoning district. Combination of a gas station, a fast-food restaurant, and a convenience store uses are not permitted within one hundred fifty feet (150') of a residential district. On September 19, 2021, a notice for this public hearing appeared in the Focus Daily Newspaper. Staff also mailed notifications of this public hearing to property owners within 200 feet of the subject site and zoning signs were placed on the property. There are two letters that were received in opposition of this zoning change request. On October 5, 2021, the Planning and Zoning Commission recommended denial of the SUP for six (6) fuel dispensers; fast food restaurant, retail stores and convenience store to be located within 150 feet of a residential district. Staff concurs with the Planning and Zoning Commission's recommendation. The Lancaster Development Code (LDC), Section 14.208 City Council, (d) Council Approval or Denial (1) states that " Approval of an Item. The Council may approve the request or amendment either as requested, or in the form of a more restrictive district, and subject to such appropriate conditions as are allowed by law. However, when a proposed zoning request is heard by the City Council that has been denied by the Planning and Zoning Commission, a three-fourths (3/4) majority vote by the City Council shall be required for approval". Since the Planning and Zoning Commission recommended denial of this item, a super majority (6 of 7 members) is required for approval of this SUP request.

Mayor Hairston opened the public hearing.

Robert Nunez, 2929 Kings Road, Dallas, shared that last discussion Council requested the store to be moved away from the gas station and since then the store has been moved.

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Mayor Hairston shared that the application that was in front of them does not show the same information.

Director of Development Services Coleman shared this is under one zoning, he is proposing to come in and subdivided after this gets zoned. Since this is under one zoning and one lot the current standards apply.

Attorney Ritter shared that Council has to consider the item that was posted.

Deputy Mayor Pro Tem Jaglowski shared that as he stated before he disagrees of the six fulling dispensers.

MOTION: Mayor Pro-Tem Hill made a motion, seconded by Councilmember Wheaton to close the public hearing. The vote was cast 7 for, 0 against.

MOTION: Councilmember Mejia made a motion, seconded by Mayor Pro-Tem Hill to approve item 6. The vote was cast 3 for, 4 against [Hairston, Jaglowski, Strain-Burk and Gooden-Davis]. Motion Failed.

- 7. Z21-20 Conduct a public hearing and consider a change in zoning from Agricultural Open District (AO) to Single-Family Residential District (SF-5) for the property addressed as 1801 West Wintergreen Road located south of Anderson Farms Subdivision and north of West Wintergreen Road. The property is a tract of land situated in the W. Fleming Survey, Abstract No. 466, in the City of Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones shared this is a request to rezone the subject parcel from Agricultural Open (AO) to Single-Family Residential District (SF-5). The current zoning only allows for single-family detached homes, farming, and ranching-related activities and accessory uses on five (5) or more acres. The subject property is currently vacant and requires a zoning change from AO to SF-5 in order to develop 41 single-family homes on the site. On September 19, 2021, a notice for this public hearing appeared in the Focus Daily Newspaper. Staff also mailed 47 notifications of this public hearing to property owners within 200 feet of the subject site and zoning signs were placed on the property. There were five (5) letters received in opposition and no letters received in support of this request. On October 5th 2021, the Planning and Zoning Commission recommended denial of the zoning change. Staff concurs with the Planning and Zoning Commission's recommendation.

Mayor Hairston opened the public hearing.

Collin Wilson, 1400 Everman Parkway, shared that his client purchased the property hoping that the location would be rezoned. He requested that council approve the item.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro-Tem Hill to close the public hearing. The vote was cast 7 for, 0 against.

MOTION: Deputy Mayor Pro Tem Jaglowski made a motion, seconded by Councilmember Strain-Burk to approve item 7. The vote was cast 1 for, 6 against [Hairston, Hill, Strain-Burk, Mejia, Wheaton and Gooden-Davis] Motion Failed.

Action:

9. **Discuss and consider a resolution ratifying a grant agreement in an amount not to exceed three hundred eighty-two thousand dollars (\$382,000), with McKinley Packaging Company from funds collected from the one-fourth (1/4) of one (1) percent additional sales and use tax for the promotion and development of new and expanded business enterprises, as authorized by state law.**

City Manager Mauldin-Jones shared this action ratifies the recommendation of the Lancaster Economic Development Corporation (LEDC) to enter into a grant agreement with McKinley Packaging Company to promote new construction and job creation in the City of Lancaster. The company plans to build a four hundred fifty thousand (450,000) square foot building located on a 26-acre tract of land located at the northeast corner East Pleasant Run Road and Pinto Road. Construction of the building is expected to be completed by the third quarter of 2023. The company will invest twenty million dollars (\$20,000,000) in Business Personal Property in the building and twenty million dollars (\$20,000,000) in Real Property. The McKinley Packaging facility will allow the addition of a minimum of one hundred (100) new jobs within three (3) years after completion. Wages will be based on market demand however, jobs paying over forty-three thousand dollars annually (\$43,000) will be incentivized under this agreement. The Lancaster Economic Development Corporation recommended approval of the item at their October 21, 2021 meeting. Staff concurs with the Lancaster Economic Development Corporation and recommends approval. Site Development Grant. The agreement will allow the developer to be reimbursed for a portion of development costs, associated with the cost of a rail spur in an amount not to exceed three hundred thousand dollars (\$300,000) which must be completed by January 1, 2024. Foreign Trade Zone Application Grant. The grant will provide funds to reimburse the developer for costs associated with an application for a Foreign Trade Zone Grant, up to twenty thousand dollars (\$20,000). The funds may be used to reimburse the developer for actual expenses incurred and paid for a successful Foreign Trade Zone application. These expenditures must be made by October 1, 2025. Local Hiring Grant. The grant sets aside up to sixty thousand dollars (\$60,000) to promote the hiring of Lancaster residents. The total grant amount will be based on the number of Lancaster residents hired and retained for at least two years by the Developer. The Developer will be eligible for a grant of six hundred dollars per each Lancaster resident hired at an annual wage of at least forty-three thousand dollars annually (\$43,000) and retained, up to one hundred employees. Inland Port Transportation Management Association Grant. The grant provides funds to offset costs related to company participation in the Inland Port Transportation Management Association, in an amount not to exceed two thousand and dollars (\$2,000). The total grant amount will allow the company to be a member of the Inland Port Transportation Management Association for two years.

Councilmember Strain-Burk shared this agreement will allow the developer to be reimbursed for the rail spur and also participate in the Inland Port Transportation Management Association.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro-Tem Hill to approve item 9. The vote was cast 7 for, 0 against.

10. **Discuss and consider a resolution approving a Chapter 380 Economic Development Agreement by and between the City of Lancaster, Texas and McKinley Packaging Company.**

City Manager Mauldin-Jones shared this is a companion item approving a Chapter 380 Economic Development Agreement by and between the City of Lancaster, Texas and McKinley Packaging Company. This agreement allows the City of Lancaster to make Program Payments to Developer for a portion of ad valorem taxes paid by the Developer to the City for Business Personal Property for a period not to exceed ten (10) years. The company will annually submit receipts for BPP and RP tax payments in order to exercise the grant. Within sixty (60) days of verification of payment, the City will remit eligible rebate amounts outlined in the agreement, provided that all contractual contingencies are satisfied.

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MOTION: Councilmember Mejia made a motion, seconded by Councilmember Strain-Burk to approve item 10. The vote was cast 7 for, 0 against.

Councilmember Mejia recused himself from item 11.

11. Discuss and take action on issuance of a Request for Qualifications/Request for Proposals (RFQ/RFP) for professional consulting services regarding amending, repealing, or updating the Downtown Design District overlay (Ordinance 2008-02-11).

City Manager Mauldin-Jones shared as prescribed in the City Council Rules and Procedures as amended November 2020, Section D. City Council Agenda Process, Subsection 1.b, Councilmember Carol Strain Burk requested that an item be included on a City Council work session for the purpose of discussing the Downtown Design District. At the June 21, 2021, work session, City Council discussed the Downtown Design District and instructed staff to place an item on the agenda to consider issuance of an RFP/RFQ for professional consulting services regarding amending, repealing, or updating the Downtown Design District overlay. At the June 28, 2021, regular meeting, Council voted to table the item to an October meeting for further discussion. On October 18, 2021, City Council discussed the Downtown Design District Overlay and instructed staff to place an item on the next regular meeting agenda for consideration of an RFP/RFQ. This item is solely at City Council discretion.

Councilmember Strain-Burk shared this was put in place during the financial struggle since then things have changed. with this item and help of consultants it would benefit property owners to be able to exit.

City Attorney Ritter ask Councilmember Strain-Burk if her motion was for professional consulting services regarding amending, repealing, or updating the Downtown Design District overlay and harmonize with the comprehensive plan.

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro-Tem Jaglowski to amend, update and harmonize with the comprehensive plan. The vote was cast 3 for, 3 against [Hill, Wheaton and Gooden-Davis] [Mejia recused]. Motion Failed.

Councilmember Strain-Burk asked City Attorney Ritter if she could make a motion to bring the Downtown overlay in compliance with comprehensive plan.

City Attorney Ritter shared based on how the item was posted it would be beyond what is allowed. However, the item could be brought back at another meeting with the required posting.

Executive Session:

12. The City Council shall convene into closed executive session pursuant to:

- b. Section § 551.074 (a)(1) of the Texas Government Code to deliberate the appointment, employment, evaluation duties or dismissal of a public officer, to wit: the Municipal Judge.**
- c. Section § 551.074 (a)(1) of the Texas Government Code to deliberate the appointment, employment, evaluation duties or dismissal of a public officer, to wit: the City Manager.**

13. Reconvene into open session. Consider and take appropriate action(s), if any, on closed/executive session matters.

The City Council recessed for Executive Session at 10:23 p.m. and reconvened into open session at 11:01 p.m.

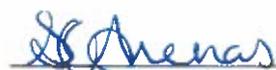
No action taken.

Mayor Hairston wished Councilmember Wheaton a Happy Birthday.

MOTION: Councilmember Mejia made a motion, seconded by Councilmember Wheaton to adjourn. The vote was cast 7 for, 0 against.

The meeting was adjourned at 11:02 p.m.

ATTEST:



Sorangel O. Arenas, City Secretary

APPROVED:


Clyde C. Hairston, Mayor