

CALL TO ORDER at 7:00pm

Invocation led by Gail Beaver.

Pledge of Allegiance led by Frank Bennet.

Roll Call : All council members were present, Mayor Hajek, Larry Keller, Margie Holisky, Gail Beaver, David Windhorst, and Frank Bennet.

CITIZENS TO BE HEARD

This time is provided for citizens to address City Council on any issues and concerns. No City Council discussion or action can be taken if the item is not on the agenda. **Please limit your remarks to three (3) minutes and state your name and address for the record.** No citizens wished to be heard at this time.

OPEN PUBLIC HEARING at 7:02pm.

A PUBLIC HEARING TO RECEIVE TESTIMONY AND COMMENTS FROM THE PUBLIC ON the merits of request to rezone approximately 160 acres of land, generally located on the east side of Foster Road 1,800 feet south of the intersection of Foster Road and Farm to Market 1346, also known as 790 Foster Road and 1378 Foster Road, from Class 1 District to Planned Development District (PDD). Grant Hromas with NorthPoint Development gave some additional information and then introduced Brent Miles, Chief Marketing Officer for NorthPoint Development. Brent gave information about NorthPoint Development history and other projects, as well as detailed information on the proposed Foster Commerce Center.

Hear Public Comments:

- o Larry and Donna Barr voiced concerns and opposition against the rezoning of this property.
- o Fred and Barbara Bean voiced concerns and opposition against the rezoning of this property. Fred also had questions and told they would be addressed at the staff presentation portion.
- o Dennis and Margareta Parma voiced concerns and opposition against the rezoning of this property.
- o Don Reisner voiced concerns and opposition against the rezoning of this property.
- o Daniel Rocha voiced concerns and opposition against the rezoning of this property.
- o Vivian Pedrotti voiced concerns and opposition against the rezoning of this property.
- o Matthew Howton voiced concerns and opposition against the rezoning of this property.
- o Richard Cardenas voiced concerns and opposition against the rezoning of this property.
- o Anissa Cervera voiced concerns and opposition against the rezoning of this property.

CLOSE PUBLIC HEARING at 7:58 pm.

DISCUSSION/ACTION

A. Consider action to approve Ordinance No. 22-0316: Amending Official Zoning Map by rezoning approximately 160 acres of land from Class 1 District to Planned Development District (PDD). Staff Report was presented by Bryce Cox, City Planner with Denton Navarro Rocha Bernal & Zech, P.C. (City of China Grove's Legal Counsel). Bryce stated the vote needed a ¾ approval to pass. Bryce stated City Staff recommends does recommend approval of this zoning request if City Council feels light industrial development is appropriate in this location. The City of China Grove uses Bureau Veritas for inspection matters and has adopted 2018 Building Codes. The vote results were as follows:

- Frank Bennet – Against
- David Windhorst – For
- Larry Keller – For
- Gail Beaver – For
- Margie Holisky – Abstain

Mayor Hajek initially stated that the motion did not pass but Leslie requested an Executive Session to verify the results due to the abstain.

OPENED EXECUTIVE SESSION at 8:29pm

As authorized by Texas Government Code § 551.071 – Consultation with Attorney

CLOSED EXECUTIVE SESSION at 8:36PM

REOPENED MEETING 8:37 p.m.


Mayor stated no action was taken during executive session and resumed the meeting. Mayor stated legal counsel advised that the ¾ rule applied to the eligible votes, so Ordinance No. 22-0316 is approved.

- A. Consider action to approve Ordinance No. 22-0303:** Amending the zoning ordinance by **rezoning property located at 7586 US Highway 87 E, China Grove, TX to authorize a STORAGE operation as conditional Use** (tabled from March 3, 2022, City Council Meeting). The following conditions were listed: Asphalt driveways. Millings under covered areas is permissible; No tractor trailers; Landscaping to front and maintained; Downward perimeter lighting every 50'. Larry made a motion to approve the ordinance with the listed conditions. Frank seconded the motion. All were in favor and motion carried.
- B. Consider action to approve renewing Website Maintenance Agreement with FenX Enterprises, LLC** to be effective April 1, 2022, through March 31, 2024. Larry made a motion to approve renewing the contract. Gail seconded the motion. All were in favor and motion carried.
- C. Consider action to approve Memorandum of Understanding (MOU) with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) regarding eTRACE.** This program will allow China Grove PD necessary utilities for submitting, retrieving, storing, and querying firearms trace related to information relative to our jurisdiction. The firearms tracing process is a valuable service offered by ATF to the global law enforcement community to help solve individual cases, maximize the investigative information available for use in identifying potential illegal firearms traffickers, and to supplement the analysis of crime gun trends and trafficking patterns. Margie made a motion to approve the MOU with ATF regarding eTRACE. David seconded the motion. All were in favor and motion carried.
- D. Consider action to appoint an Emergency Management Coordinator** for the City of China Grove according to Texas Gov't Code Section 418.101. Larry made a motion to appoint Mayor Hajek as an Emergency Management Coordinator. Gail seconded the motion. All were in favor and the motion carried.

ANNOUNCEMENTS

- A. Mayor/Council –
- B. Chief of Police – Please keep Officer Timothy Schlichting and his family in your prayers as he passed away this past weekend. A memorial is set for March 19, 2022, from 1pm-4pm at the Comal County Fair Grounds Hall in New Braunfels, TX.**
- C. City Secretary –
- D. Fire Chief –

ADJOURN – Larry made a motion to adjourn the meeting at 8:54pm. Margie seconded the motion. All were in favor and the motion carried.



Mayor