

DISCUSSION ON EVIDENCE THE 2009 COMPREHENSIVE PLAN WAS ADOPTED

By City Administrator Leamons

Although there is no direct official documentation of its passage, it appears that the 2009 Comprehensive Plan was adopted on November 19, 2009 as that is the date on the unsigned ordinance at the front of published copies of the Comprehensive Plan. Freese and Nichols (F&N) staff who worked on the Plan believes it was adopted. They said they would not have published copies of the Plan until it had been adopted. An email sent from F&N to City Secretary Busch on Monday, 11-16-09 indicated they would be in Glen Rose Thursday night (11-20-09) to answer questions. Another email sent by F&N to Busch on November 20, 2009 congratulated Busch on the Plan being adopted and provided instructions for transmitting it to Texas Parks and Wildlife Department (TPWD). TPWD personnel said the City had provided them with a Master Plan in 2009, but that they no longer have any documentation as they purge their files after 10 years have passed. Pam Miller, who was Mayor at the time, and City Secretary Busch both believe the Plan was adopted, but was put on the shelf until the zoning overlays designed to mesh with the Plan were adopted. There was a meeting on November 8, 2010 when those overlays were voted down. In the minds of many, the vote against the overlays was a vote against the Comprehensive Plan, but the minutes of that meeting make it clear that the vote was only about the overlays. Minutes from 2009 also make it clear the overlays were being developed as companions to the Comprehensive Plan.

City minutes from 2009 provide considerable evidence concerning the Plan. At the September 14th Meeting, the Council voted to add a "Parks Plan" to the Comprehensive Plan to help them secure a TPWD grant. At the September 21st Meeting, *"it was suggested that Dan Sefko be contacted to assist in rewording the ordinance [Uniform Building Exteriors "Masonry Ordinance"] so that it will be in line with the Comprehensive Plan. Mr. Sefko's firm is preparing the Plan, which will be presented to Council for approval on November 24."* At the October 12, 2009 Meeting when the Masonry Ordinance was being discussed, *"Larry Garnett, local developer and member of the Planning & Zoning committee, suggested that Council table this item until they know for certain that their ordinance will correspond to the requirements of the new Comprehensive Plan. Mr. Villa withdrew his motion. Mr. Stricklin made a motion to table the item until the November meeting."*

At the November 9th Meeting regarding a Zoning Ordinance change, *"Mayor Miller mentioned that she understood that changes to this ordinances were going to be postponed until after the Comprehensive Plan was put in place. Mr. Bryant moved to postpone this item until the next meeting."* At that same meeting, *"Upon a motion by Mr. Villa and a second by Dr. Terry, Council voted unanimously to authorize Dennis Sims to apply for a Texas Parks & wildlife grant, the deadline for which is imminent."*

[Although there are no minutes for the meeting, the unsigned ordinance at the front of the published copies of the Comprehensive Plan indicates there was a joint P&Z/City Council

meeting at which a public hearing on the Comprehensive Plan was conducted and the Plan was adopted.]

At the December 14, 2009 Meeting regarding the topic of hiding dumpsters, *“Ms. Mitchell said the only holdup has been waiting for the Comprehensive Plan to be approved.”* Then when the Overlay Ordinance was being discussed, *“Mr. Bryant questioned how this proposed project would help the Comprehensive Plan....Mr. Bryant said he still did not understand why, for this amount of money (\$20,000) this project is needed in addition to the Comprehensive Plan. Mr Sefko said **the Comprehensive Plan has set the policy guidelines for the City** [emphasis mine--the verb tense suggests the Plan had already been adopted at this point]; however, nothing in the Zoning Ordinances has been changed, and that is what the Overlay will do. Dr. Terry moved to approve Sefko to produce an Overlay Ordinance for Highway 67 and 144. Mr. Stricklin seconded the motion, and it passed 5/0.”*

From the evidence submitted, it appears the Plan was adopted at a joint P&Z/Council meeting on November 19, 2009. City Secretary Busch had Mayor Miller sign the Ordinance and Busch sent it to TPWD. Perhaps she didn't provide minutes for the meeting because she considered it a P&Z Meeting. We have no minutes for P&Z Meetings from that time period. The next step in the planning process was to produce an Overlay Ordinance. Until that was accomplished, the Plan was shelved. The Overlay Ordinance became very controversial and was voted down. It appears after all the controversy that no one took the Plan down from the shelf. Shortly after the Overlay Ordinance was voted down, Mayor Miller resigned. After the May, 2011 election of the members of the Governing Body involved in the Comprehensive Plan only Bob Stricklin remained. In 2012 a City Administrator was hired and shortly thereafter, both City Superintendent Bruce and City Secretary Busch ended their employment relationships with the City. With them, so it would seem, institutional memories of the Plan vanished.