



Wylie City Council

Minutes

Regular Meeting

March 23, 2021 – 6:00 p.m.

Wylie Municipal Complex – Council Chambers

300 Country Club Road, Bldg. 100

Wylie, TX 75098

CALL TO ORDER

Mayor Matthew Porter called the regular meeting to order at 6:00 p.m. The following City Council members were present: Councilman David R. Duke, Councilman Dave Strang, Mayor *pro tem* Jeff Forrester, Councilwoman Candy Arrington, Councilman Timothy T. Wallis, and Councilman Garrett Mize (arrived at 6:03 p.m.).

Staff present included: City Manager Chris Holsted; Assistant City Manager Brent Parker; Assistant City Manager Renae Ollie; Police Chief Anthony Henderson; Fire Chief Brandon Blythe; Public Information Officer Craig Kelly; Finance Director Melissa Beard; Building Official Brett McCullough; Planning Manager Jasen Haskins; Parks and Recreation Director Rob Diaz; Project Engineer Jenneen Elkhaid; WEDC Executive Director Jason Greiner; City Attorney Richard Abernathy; City Secretary Stephanie Storm, and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor *pro tem* Forrester led the invocation and Councilwoman Arrington led the Pledge of Allegiance.

CITIZEN COMMENTS ON NON-AGENDA ITEMS

There were no citizens present wishing to address the Council.

Councilman Mize took his seat at the dias at 6:03 p.m.

Mayor Porter convened the Council into Executive Session at 6:04 p.m.

EXECUTIVE SESSION

Sec. 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING.

A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on its negotiating position.

ES2. Properties adjacent to McMillen Rd. between McCreary Rd. and Country Club Rd.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Porter convened the Council into Open Session at 7:03 p.m.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. Consider, and act upon, approval of March 9, 2021 Regular City Council and Work Session Meeting minutes.**
- B. Consider, and act upon, a Final Plat for Emerald Vista Phase 1, to establish 91 residential lots, seven open space lots, and one Government Business lot on 27.369 acres, located on South Ballard Road at Elm Road.**
- C. Consider, and act upon, a Preliminary Plat for Kreymer at the Park Addition, being 49 residential lots and two open space lots on 16.48 acres. Property located at 2605 E. Stone Rd.**
- D. Review, and place on file, the 2020 Wylie Police Department Annual Racial Profiling Analysis.**
- E. Consider, and place on file, the City of Wylie Monthly Investment Report for February 28, 2021.**
- F. Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for February 28, 2021.**
- G. Consider, and act upon, the approval of the upgrade to Incode 10 Financial System with Tyler Technologies Inc. in the amount of \$87,670.00, and authorizing the City Manager to execute any and all necessary documents.**
- H. Consider, and act upon, Ordinance No. 2021-17 adopting and enacting a new Code of Ordinances, City of Wylie, Texas; providing a penalty clause, repealing/savings clause, severability clause and an effective date; providing for the manner of amending such Code; and providing for the publication of the caption hereof.**

Mayor *pro tem* Forrester requested Item D be pulled from Consent Agenda and considered individually.

Council Action

A motion was made by Councilman Duke, seconded by Councilman Strang, to approve Consent Agenda Items A-H, except Item D as presented, and accepting the amendment to Item E from staff fixing a transposed number on the financial report. A vote was taken and motion passed 7-0.

REGULAR AGENDA

- D. Review, and place on file, the 2020 Wylie Police Department Annual Racial Profiling Analysis.**

Council Comments

Mayor *pro tem* Forrester asked Police Chief Henderson for additional background information on the Analysis.

Staff Comments

Police Chief Henderson addressed Council stating every year the Police Department is required to submit data from traffic stops completed in the City. For transparency purposes, the City utilizes an outside company, Justice Research Consultants, to take the data and review it. The law stipulates what must be collected from the traffic stops, which include: gender, race, whether the race is known before the stop is made, ethnicity, the reason for the stop, if a search was conducted, if the search was consensual, if contraband is located, type of contraband, the probable cause, if an arrest was made, the basis for the arrest made, and if force was used on a traffic stop. The Wylie Police Department has had zero use of force related to traffic stops. Henderson added that every officer is in compliance with the required de-escalation training. The police department provides each officer with body cameras which must be turned on every time contact is made with an individual, and the videos are randomly reviewed by staff. Henderson reported the police department is required by law to have an outline for a complaint process. When a complaint is received it is routed through the Office of Professional Standards, which handles complaints that are generated both internally or externally. The complaint process information can be found on the police department's website.

Henderson stated in 2020 8,493 traffic stops were conducted by Wylie Police Department. Out of the 8,493 stops, 82% were issued warnings and 13% were issued citations, 80+% in each race category received warnings, and there were 218 arrests made.

Mayor *pro tem* Forrester and Mayor Porter commended the Police Department.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Wallis, to approve Consent Agenda Item D as presented. A vote was taken and motion passed 7-0.

- 1. Hold a Public Hearing to consider, and act upon, amending Zoning Ordinance (2006-04), Article 5, as it relates to permanent, accessory, and temporary uses for Food Trucks and Farmers Markets. (ZC 2021-06).**

Staff Comments

Planning Manager Haskins addressed Council stating locally sourced foods and mobile prepared food vendors have gained in both popularity and acceptance. A survey conducted during the update to the Parks Master Plan identified interest from the community in allowing Food Truck Parks and Farmers Markets as both permanent and temporary uses. Staff held a work session with the Planning and Zoning Commission and based on the comments received from the Commission, staff recommendations to the Zoning Ordinance amendment include: allow permanent, stand-alone Food Truck Parks and Farmers Markets with the approval of a Special Use Permit in most commercial areas, add food vendors/Farmers Market style sales to the Accessory Outside Sales use to allow these uses to be added to existing commercial facilities on a permanent basis, amending and updating Section 5.5 Temporary Uses to adjust for the addition of Food Trucks and Farmers Markets and clarify and amend the number of allowed days per calendar year per use. In total, these amendments will allow for Food Truck Parks and Farmers Markets in the City on a more permanent basis. Haskins reported after some discussion regarding the types of permanent uses would be allowed and a motion to clarify the types of permanent utilities required on-site, the Commission voted 6-0 to recommend approval.

Council Comments

Councilwoman Arrington asked what the definition of a Farmers Market is; does it include goods, or is it strictly produce and food. Haskins replied produce and food source, not homemade items as there is a separate zoning use for arts and festivals type of items. Mayor *pro tem* Forrester expressed concerns with the definition as written which includes arts and crafts products if the venue is specific to food trucks, and recommended refining the definition.

Public Hearing

Mayor Porter opened the public hearing on Item 1 at 7:18 p.m. asking anyone present wishing to address Council to come forward.

Janet Smith, representing the Borough, addressed Council stating arts and crafts vendors are allowed at other local Farmers Markets, and expressed they would not like to discourage the unique items. Smith stated holding the Farmers Market and events in downtown Wylie has drawn shoppers to downtown Wylie. Smith expressed concerns with the added requirements proposed this evening as many of them have a cost associated for the event holders.

Mayor Porter closed the public hearing at 7:23 p.m.

Council Comments

Mayor Porter asked the reasoning behind the additional regulations such as paving, restrooms, and water and if they are prohibitive. Haskins showed an example of The Picnic in Austin, Texas as something similar and stated temporary use has very minimal restrictions; however, a more permanent use has additional regulations which makes it a safer environment. Mayor *pro tem* Forrester asked the land owners thoughts as keeping it as a long-term use. Smith replied the landowner has plans to build a building in the future so they would prefer keeping the improvements minimal. Porter asked Ms. Smith what is causing the concern with the 90 day temporary use permit (TUP). Smith replied the TUP works for the weekend event, but they have vendors that want to sell during the week. Smith stated putting in electrical would be a high cost and the land owner would not be okay with the improvements because of future plans. Smith asked why the improvements have to be permanent, and not temporary like they have been. Porter replied that the concern is allowing it on a permanent basis, without some of the regulations, could have potential safety issues with any future areas that are operating similarly. Porter asked if they want to stay with less regulations, what is the negative impact to obtaining temporary permits. Smith replied the negative impact is they cannot have a consecutive 90 days; they have to wait a certain amount of time before they can reapply for another 90 days. Forrester asked if the 90 days is only for weekends or is it 90 days consecutively. Haskins replied staff has allowed only weekends but felt the intent was 90 consecutive days so staff would like to change to 90 consecutive days. Forrester confirmed in one year the event holder can choose 90 total days or 90 days consecutively. Haskins replied right now the event holder can choose and staff currently asks for a calendar with the dates; however, staff is proposing to only allow for 90 consecutive days and not allow the choosing of the 90 days over the year. Councilman Mize confirmed what is being proposed would make the event holder have to use the TUP for 90 consecutive days. Haskins replied as of right now, under the current ordinance, the event holder can choose 90 consecutive days; however, staff is proposing changing that to 90 consecutive days. Mize asked Ms. Smith what is her preference. Smith replied she is concerned with the consecutive days because you cannot reapply for another 90 consecutive days. Councilwoman Arrington asked what is the downside to allowing the event holder to reapply for another 90 days during the calendar year if staying under TUP. Haskins replied as long as they meet the criteria in the TUP, which is much less stringent than permanent use, the City has to allow it and in theory it becomes a permanent use under temporary conditions. Councilman Wallis asked if the City could tighten the TUP so they can still apply for the 90 days, and then apply for a consecutive 90 days, instead of having to obtain the permanent use. Haskins replied the language could be difficult but could look into it, but added a TUP is intended to be temporary and not continued. Wallis asked if there is a way to give the event holder the option to do every weekend and pick their days. Haskins replied that change could be made to the proposed wording. Forrester stated the City dealt with this a few years back and asked Assistant City Manager Ollie if she has any additional information. Ollie replied if Council is looking to do more than 90 days, the wording could be to allow a one time extension of 30, 60, or 90 days during the calendar year, and allow the applicant to choose their days. Porter asked for Haskins thoughts on the wording with the extension. Haskins replied allowing the event holder to pick and choose is not a bad thing. Forrester asked about the possibility of another 90 days extension and expressed concerns with the permanence of the request in a temporary nature. Haskins replied if the City has a TUP operating under a more permanent use under temporary regulations, it could create an unfair situation with local businesses. Councilman Duke asked if the City does any policing with the TUP issued. Building Official McCullough replied yes before the TUP is issued inspections are

completed by various departments; however, during the 90-day period there are no other inspections done, only the first-time inspection. Wallis asked how often a permanent business is inspected. McCullough replied they are inspected before a CO is issued and the fire department does an annual inspection for maintenance. Wallis asked if we are more lenient on a food truck extended throughout the year than we are other permanent businesses. McCullough replied Collin County does annual inspections of restaurants, and a TUP would have a one-time inspection when the permit is issued. Holsted clarified we do require more stringent uses for permanent uses and asked at what point does a TUP become a permanent use and have to meet the same regulations. Porter asked for feedback on similar locations near us and what their requirements include. Haskins replied the permanent use regulations are very similar and what is presented is what staff felt was best for Wylie based on other cities ordinances. Porter asked if they have similar restrictions on TUP. Haskins replied they do. Arrington stated based on the comments and feedback she is more concerned that if the event holder gets to pick their days for the whole year; that is creating a permanent use. Forrester stated the food truck and farmers market is a great idea to bring livelihood and business to downtown; however, he agrees with Arrington and stated if a TUP is issued for the purpose of testing the waters, that is a great idea, but to stretch the TUP out too far, it becomes more of a permanent use and can create confusion of local business owners.

Porter asked for feedback from the Council. Mize stated the idea of food trucks and a farmer's market is an excellent idea for the community and stated he supports the changes in the ordinance as written to create something permanent, but have to balance with temporary applicants and lean towards Ollies recommendation of allowing 90 consecutive days plus 90 non-consecutive days extension of a TUP, or a flat 180 non-consecutive days. Forrester stated he agreed with the proposed changes but not sure about 180 days being temporary and would like to see 90 consecutive days plus 90 non-consecutive or consecutive. Arrington stated she recommended 90 consecutive days plus 90 consecutive days. Strang stated he liked the idea of the permanent permit, and recommended 90-110 day non-consecutive for the TUP. Duke stated he recommended 90 days plus 60 non-consecutive days extension, but does not want a TUP operating for half the year and there has to be a clear line between temporary and permanent use. Wallis recommended 90 consecutive days plus a 30 consecutive day extension. Arrington stated she agreed with Wallis. Porter stated there has to be a balance between temporary and permanent use.

The consensus of Council was they liked the standards proposed for the permanent use. Haskins asked for clarification regarding arts and crafts being included in the definition. Mize, Forrester, Duke, Strang, and Porter stated they would like to include arts and crafts in the definition. Forrester asked what the current balance of arts and crafts to food vendors is. Smith replied currently there is 70% food and 30% arts, crafts, and other. Arrington and Wallis stated they would like to remove arts and crafts from the definition.

Council Action

A motion was made by Councilman Mize, seconded by Councilman Strang, to approve amending Zoning Ordinance (2006-04), Article 5, as it relates to permanent, accessory, and temporary uses for Food Trucks and Farmers Markets (ZC 2021-06) with the amendment to Section 5.5 Temporary Uses to permit for 180 days at the choice of the applicant. A vote was taken and motion failed 4-3 with Mayor Porter, Councilwoman Arrington, Councilman Wallis and Mayor *pro tem* Forrester voting against.

A motion was made by Mayor *pro tem* Forrester, seconded by Councilwoman Arrington, to approve amending Zoning Ordinance (2006-04), Article 5, as it relates to permanent, accessory, and temporary uses for Food Trucks and Farmers Markets (ZC 2021-06) with the amendment to Section 5.5 Temporary Uses specifically Purpose paragraph to read TUPs may be approved for 90 consecutive days with a 30 consecutive day extension. A vote was taken and motion passed 6-1 with Councilman Strang voting against.

2. **Hold a Public Hearing to consider, and act upon, amending Zoning Ordinance (2006-04), Sections 5.1 Land Use Charts and 5.2 Listed Uses, as they relate to requiring Special Use Permits for certain uses currently allowed by right (ZC 2021-05).**

Staff Comments

Planning Manager Haskins addressed Council stating Planning staff and the Planning and Zoning Commission held a joint work session to discuss recommended changes to the Zoning Ordinance related to requiring Special Use Permits (SUPs) for some uses currently allowed by right. After a staff presentation and some discussion, the Commission directed staff to draft a Zoning Ordinance amendment. The recommended changes relate to: commercial greenhouse/nursery; theater; on-site dry cleaning; motor vehicle fueling station; restaurant with drive in; vehicle sales; and contractor's maintenance yard. Haskins reported the Commission voted 6-0 to recommend approval.

Staff Comments

Mayor Porter stated these changes do not prevent these types of businesses from coming into the City; it requires a SUP which allows Council to look at different factors and those listed in the Zoning Ordinance to make sure it is the right fit on the specific property for the business and the best thing for the community based on the guidelines provided.

Public Hearing

Mayor Porter opened the public hearing on Item 2 at 8:16 p.m. asking anyone present wishing to address Council to come forward.

No one came forward for the public hearing.

Mayor Porter closed the public hearing at 8:16 p.m.

Council Action

A motion was made by Councilman Mize, seconded by Councilman Wallis, to approve amending Zoning Ordinance (2006-04), Sections 5.1 Land Use Charts and 5.2 Listed Uses, as they relate to requiring Special Use Permits for certain uses currently allowed by right (ZC 2021-05). A vote was taken and motion passed 7-0.

3. **Hold a Public Hearing to consider, and act upon, amending Zoning Ordinance (2006-04) Article 5, Sections 5.2.E.9 and 5.2.F.19 Listed Uses, as they relate to the Massage Establishments (ZC 2021-07).**

Staff Comments

Planning Manager Haskins addressed Council stating the Planning and Zoning Commission and staff held a work session to discuss recommended changes to the Zoning Ordinance related to massage establishments. After a presentation from staff and discussion, the Commission directed staff to draft a Zoning Ordinance amendment. Those amendments are summarized in the agenda packet. The recommended changes for massage establishments moves the use category from a sexually oriented business to a personal service use. The definition is more in line with the State, which defines a massage establishment as a health care service. By definition a massage establishment can only be staffed by state licensed masseuse. This use includes sports therapy massage and day-spas, as long as the appropriate state licenses are held. Any establishment that offers massage by a non-licensed masseuse would not be allowed. Haskins reported after some discussion and clarification that unlicensed massage is not an allowed use, the Commission voted 6-0 to recommend approval.

Public Hearing

Mayor Porter opened the public hearing on Item 3 at 8:19 p.m. asking anyone present wishing to address Council to come forward.

No one came forward for the public hearing.

Mayor Porter closed the public hearing at 8:19 p.m.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Mize, to approve amending Zoning Ordinance (2006-04) Article 5, Sections 5.2.E.9 and 5.2.F.19 Listed Uses, as they relate to the Massage Establishments (ZC 2021-07). A vote was taken and motion passed 7-0.

- 4. Consider, and act upon, a Final Plat for The Waters Addition, being a replat of Copeville RV Park and Tracts 86 and 110 of the Drury Anglin Survey, to create four lots on 19.273 acres for an RV Park development. Property generally located on CR 546 3700' west of North State Highway 78, Nevada, in the City of Wylie's Extra Territorial Jurisdiction.**

Staff Comments

Planning Manager Haskins addressed Council stating the applicant has submitted a Final Plat for The Waters Addition. The plat consists of four irregular lots on 19.273 acres located outside of the City limits within the extraterritorial jurisdiction (ETJ). The purpose of the plat is for the development of a Tiny Home Park. The irregular configuration and splitting of the development into four lots are due to the applicant's desire to connect small onsite sewage facilities (OSFF) to each lot that each treat less than 5,000 gallons of wastewater per day. Haskins stated limiting the daily wastewater capacity on each lot allows Collin County the authority to review and approve the OSFFs. The property could be platted as one regular lot and one large OSSF facility could be used to provide wastewater service to the entire development; however, the volume of wastewater would exceed 5,000 gallons per day. The increased volume would require a review and Domestic Wastewater permit from the Texas Commission on Environmental Quality (TCEQ). The applicant has requested for the allowance of the four irregular lots with four separate OSFFs due to TCEQ's requirements and review process being more involved and lengthier than Collin County's.

Haskins stated staff has concerns over the allowance of the irregular lots. The irregular lots do not leave many options for possible future development and there are cross access issues if any lot changes ownership, particularly for the western portions of lots 1, 2, and 4. Section 3.6.C of the Subdivision Regulations grants the City the authority to disapprove any lot which, in its sole opinion, will not be suitable or desirable for the purpose intended. In general, triangular, severely elongated or tapered, "flag" or "panhandle" lots shall be avoided. Haskins reported after some discussion and discussion with the applicant over the various development options, the Commission voted 5-1 to recommend approval.

Council Comments

Mayor *pro tem* Forrester asked if it meets the Counties technical requirements. Haskins responded that the County said it does meet their requirements and they defer to the City for lot shape. Mayor Porter asked if the City has control over the lot shape. Haskins replied yes.

Applicant Comments

Marshall Warren, owner of The Waters, gave a brief overview of the community. Warren stated they will not allow rental properties and the homes will be owner occupied.

Councilwoman Arrington asked if the development will only consist of tiny homes or will it also include RVs. Haskins stated staff included RVs in the verbiage because it is currently an RV park.

Council Action

A motion was made by Councilman Strang to approve a Final Plat for The Waters Addition, being a replat of Copeville RV Park and Tracts 86 and 110 of the Drury Anglin Survey, to create four lots on 19.273 acres for

an RV Park development. Property generally located on CR 546 3700 feet west of North State Highway 78, Nevada, in the City of Wylie's Extra Territorial Jurisdiction. Motion died for the lack of a second.

Councilman Wallis asked if there is a way to make a delineation of what it will be (tiny homes), instead of what it currently is (RV park). Haskins reported staff left RV park in because that is what it currently is, but staff could remove the wording. Haskins reported the City has no control over the development in the ETJ. Mr. Warren replied he guarantees he will build a first-class development.

Councilwoman Arrington stated she forgot that this is an ETJ property that is being discussed and asked what the City can regulate on this development. Haskins replied the shape of the lot for this particular development.

A motion was made by Mayor *pro tem* Forrester, seconded by Councilwoman Arrington, to approve a Final Plat for The Waters Addition, being a replat of Copeville RV Park and Tracts 86 and 110 of the Drury Anglin Survey, to create four lots on 19.273 acres for an RV Park development. Property generally located on CR 546 3700 feet west of North State Highway 78, Nevada, in the City of Wylie's Extra Territorial Jurisdiction. A vote was taken and motion passed 7-0.

- 5. Consider, and act upon, Ordinance No. 2021-15 establishing a Citizens Bond Advisory Committee; providing for the scope and authority of the Committee; providing for the appointment of its members; and providing for an effective date.**

Staff Comments

City Manager Holsted addressed Council stating in the motion to approve the Ordinance, Council will need to state the committee member's names and staff will contact the members to schedule the first committee meeting.

Council Comments

Councilman Mize stated he would like to appoint Brooke Lopez and Aaron Jameson, Councilman Wallis stated he would like to appoint Nahum Razo and Matthew Soto, Councilwoman Arrington stated she would like to appoint Keith Stephens and Becky Welch, Mayor *pro tem* Forrester stated he would like to appoint Lance Goff and Renee Young, Councilman Strang stated he would like to appoint Todd Pickens and Aleksandra Rolfson, Councilman Duke stated he would like to appoint David Goss and Scott McDonald, and Mayor Porter stated he would like to appoint Sandra Stone and Wes Dorsey.

Council Action

A motion was made by Mayor Porter, seconded by Mayor *pro tem* Forrester, to approve Ordinance No. 2021-15 establishing a Citizens Bond Advisory Committee; providing for the scope and authority of the Committee; and appointing Mr. Lance Goff, Ms. Renee Young, Ms. Brooke Lopez, Mr. Aaron Jameson, Mr. Todd Pickens, Ms. Aleksandra Rolfson, Mr. David Goss, Mr. Scott McDonald, Mr. Matthew Soto, Mr. Nahum Razo, Mr. Keith Stephens, Ms. Becky Welch, Ms. Sandra Stone, and Mr. Wes Dorsey to the committee. A vote was taken and motion passed 7-0.

- 6. Consider, and act upon, Ordinance No. 2021-16 establishing a Code of Ethics Council Subcommittee, providing for the scope and authority of the Subcommittee, and appointing Subcommittee members.**

Staff Comments

City Manager Holsted addressed Council stating Staff and Council previously discussed the City of Wylie Code of Ethics and possible revisions. Council recommended establishing a Subcommittee to review the current ethics policy and provide recommendations to the full Council. Holsted requested Council name the

three committee members in the motion of the approval of the Ordinance, which will establish the Subcommittee.

Council Comments

Mayor Porter and Councilmen Mize, Strang, and Duke expressed interest in serving on the Committee.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Duke, to approve Ordinance No. 2021-16 establishing a Code of Ethics Council Subcommittee, providing for the scope and authority of the Subcommittee, and appointing Mayor Matthew Porter, Councilman Garrett Mize, and Councilman Dave Strang to the Subcommittee. A vote was taken and motion passed 7-0.

Mayor Porter convened the Council into a break at 8:47 p.m.

Mayor Porter reconvened the Council into a Work Session at 8:55 p.m.

WORK SESSION

WS1. Wylie EDC & Retail Coach Presentation.

WEDC Executive Director Greiner addressed Council giving a short presentation about the Wylie EDC board creation, defined economic development, addressed what Wylie EDC does, reviewed the esri Community Profile, reviewed multiple redevelopment projects, reviewed retail development, and overviewed high impact initiatives.

Aaron Farmer, representing The Retail Coach, addressed Council giving a presentation on the following: eight step Retail360 process; mobile location data; cell phone analysis heat map and data; primary retail trade area; retail trade area; site profiles; trade show representation; interactive mapping application; next steps; 2021 trends; and 2021 retail expansion. Farmer stated they would like to send a survey out to citizens to gather input on what type of businesses residents would like to see in the City.

Farmer addressed questions from Council. Council liked the idea of the survey.

RECONVENE INTO REGULAR SESSION

Mayor Porter convened the Council into Regular Session at 9:32 p.m.

Mayor Porter convened the Council into Executive Session at 9:32 p.m.

EXECUTIVE SESSION

Sec. 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING.

A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on its negotiating position.

ES1. Consider the sale or acquisition of properties located at FM 544 and Cooper.

Sec. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING.

This chapter does not require a governmental body to conduct an open meeting:

(1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near

the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or

(2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

ES3. Deliberation regarding commercial or financial information that the WEDC has received from a business prospect and to discuss the offer of incentives for Projects: 2020-11b and 2021-1f.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

Mayor Porter convened the Council into Open Session at 9:58 p.m.

Council Action

A motion was made by Mayor *pro tem* Forrester, seconded by Councilman Strang, to authorize the City Manager and the EDC Director to draft a Development Agreement with Project 2021-1f in an amount not to exceed \$200,000. A vote was taken and motion passed 7-0.

READING OF ORDINANCES

City Secretary Storm read the caption to Ordinance No. 2021-15, 2021-16, and 2021-17 into the official record.

ADJOURNMENT

A motion was made by Councilman Strang, seconded by Councilman Mize, to adjourn the meeting at 10:01 p.m. A vote was taken and motion passed 7-0.

Matthew Porter, Mayor

ATTEST:

Stephanie Storm, City Secretary