

SPECIAL MEETING MINUTES
City Council – Special Meeting
January 5, 2021 – 6:00 p.m.

PRESENT: Mayor Wyman Williams, Mayor Pro Tempore Gene Lockhart, Council Members Anthony Henry, Stephanie Muller & Becky Thompson

ABSENT:

STAFF PRESENT: City Manager Howdy Lisenbee, City Attorney Charles Anderson, City Secretary Molly Jacobsen, Economic Development Director Bonnie Hunter

1. Call to order:

Mayor Wyman Williams called the meeting to order at 6:00 p.m.

2. *Second Reading- Discussion and Possible Action on an Ordinance Amending Appendix “B”, “Subdivisions”, Section 2.3, “Procedure for Approval of Final Plat”, Part “H”, of the Code of Ordinances of the City of Commerce to allow for Administrative Approval; Providing for the Incorporation of Premises, Providing for an Amendment; Providing for a Savings/Repealing Clause; Providing a Severability Clause and Providing for an Effective Date.*

City Manager Howdy Lisenbee reminded the Council that whenever development occurs in the community which requires replatting of land, there is a rather complex process that involves submitting a preliminary plat which has to go before Planning & Zoning, and then goes before City Council, which approves the preliminary plat. For a final plat, it must go before Planning & Zoning again, and then again before the City Council. This means that ultimately, for a platting to occur, there are 4 meetings which have to occur. Ultimately, this process can take up to 60 days, which is a significant amount of time for a developer to complete a project. State law allows for the administrative approval of minor plats in certain scenarios if the City Council delegates that authority to the City Manager. This proposed Ordinance would give the administrative approval of minor replats, replats and amended plats to the City Manager, allowing city staff to be more responsive to the community in a more timely fashion.

Council Member Stephanie Muller made a motion to approve the Ordinance on the second reading, as presented. The motion was seconded by Council Member Anthony Henry and the vote carried unanimously.

3. Discussion related to the re-opening of Commerce City Hall to the public.

City Manager Howdy Lisenbee discussed that the council mentioned at their December Council Meeting an interest to return to meetings at City Hall, rather than continuing to meet via Zoom and expressed an interest in reopening City Hall to the public. City Manager Lisenbee stated that from a staff perspective, the City could host City Council meetings live at City Hall while still maintaining proper social distancing and also broadcast those meetings should the public or council choose to or need to.

Council Member Stephanie Muller stated she would like to see the Council return to meeting in person. She also inquired as to whether a Council Member could meet via Zoom if they were unable to meet in person or chose not to. Council Member Becky Thompson said she felt that since Public Works, Police and Fire were all out and working, it looks bad when City Hall is still closed. Council Member Anthony Henry mentioned that he works in the general public every day and is in favor of opening up City Hall and “getting back to a new normalcy” which doesn’t involve continuing to meet as a Council from home. Council Member Thompson said that where she felt like moving a

lot of City Hall transactions such as utility bill payments online was extremely helpful, she feels that many citizens don't have that ability to pay online and would be more responsive to being able to meet in person. Mayor Pro Tem Gene Lockhart inquired as to whether or not the public would be required to meet all of the safety protocol that have been practiced by staff since closing. City Manager Lisenbee stated that staff feels we have the ability to safely handle the public coming into City Hall and maintaining social distance. Mayor Wyman Williams said he agreed that returning to City Hall for council meetings was a good idea, but that he would defer to the City Manager on a decision related to the opening of City Hall to the public. City Manager Lisenbee said that via CARES funding, there were small touch-free, electronic devices at the entrances of City Hall which will measure the temperature of individuals at they enter and improve contract tracing measures should someone who is febrile enter City Hall. He stated that he would propose opening City Hall on January 19th, after MLK Day. Mr. Lisenbee stated that he had heard word on the street that "City Hall is on vacation" during the time we have been closed due to the pandemic. He reminded the Council that staff is here and working, but that if the perception is that we are not, it is our responsibility to rebuild that trust in staff within the community. Mayor Pro Tem Lockhart inquired as to if there was a fall back plan should conditions related to the pandemic worsen. City Manager Lisenbee stated that if conditions worsen, City Hall could return to an appointment-based system to keep the staff and community safe.

Council Member Stephanie Muller moved to open City Hall and give the City Manager the authority to make decisions related to the health and safety of staff and the public and return to in person meetings with the City Council. The motion was seconded by Council Member Beckey Thompson and the vote carried unanimously.

4. Recess into Executive Session:

• §551.071 (1) and 551.071 (2): Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act and Consultation with Attorney regarding pending or contemplated litigation.

- *Re-opening of City Hall*
- *Amir Rahman v. City of Commerce, Cause No. 85096, Hunt County*
- *Amir Rahman v. City of Commerce and Ned Muse, Cause No. 89253, 354th District Court*

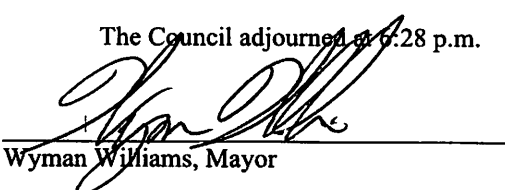
Council Member Anthony Henry moved to recess into Executive Session. The motion was seconded by Council Member Beckey Thompson and the vote carried unanimously. The Council recessed into Executive Session at 6:14 p.m.

5. Reconvene into Open session: In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider action, if any, on matters discussed in Executive Session.

Council Member Stephanie Muller authorized the City Manager to negotiate a settlement as discussed in executive session. The motion was seconded by Council Member Anthony Henry and the vote carried unanimously.

6. Adjourn.

The Council adjourned at 6:28 p.m.


Wyman Williams, Mayor

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Molly Jacobsen
Molly Jacobsen, City Secretary

01-19-2021
Date

CityCouncilMeeting/2021/January/January5/01.05.2021.SPECLMTGMINS