

**MINUTES OF THE REGULAR  
CITY COUNCIL MEETING  
JANUARY 6, 2020**

**1. CALL TO ORDER AND CONFIRM A QUORUM**

Mayor Burger called the meeting of the Fate City Council to order at 6:02 p.m. on the 6<sup>th</sup> day of January, 2020, in the Fate City Hall 1900 CD Boren Parkway, Fate, Texas.

City Secretary Victoria Raduechel confirmed the presence of a quorum.

**Council Members Present:**

Joe Burger, Mayor  
Tamara Fisher  
Lance Megyesi  
Ian Fields  
Allen Robbins, Deputy Mayor Pro Tem  
David Billings, Mayor Pro Tem  
John Hamilton (arrived at 6:45 p.m.)

**Council Members Absent:**

None

**City Staff Present:**

Michael Kovacs, City Manager  
Justin Weiss, Assistant City Manager  
Victoria Raduechel, City Secretary  
Lyle Lombard, Director of Public Safety  
Scott Monaghan, Director of Public Works  
Raju Anthony, Director of Finance  
Steve Gilbert, Director of Community Services and Building Safety  
Will Rugeley, Director of Planning and Development Services  
Michael Wright, IT Manager  
Brenda McDonald, City Attorney

**2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE AMERICAN AND TEXAS  
FLAGS**

Michael Wright, IT Manager gave the invocation, after which the Council led the Pledge of Allegiance to the American and Texas Flags.

### **3. PRESENTATIONS**

#### **A. Rockwall Area Chamber Of Commerce - "The Big Event" Presentation And Proclamation**

Members of the Leadership Rockwall Class 2020 made a brief presentation providing an overview of their community project which is called "The Big Event". Mayor Burger read aloud a proclamation recognizing the Leadership Rockwall Class of 2020 and "The Big Event". Mayor Burger and the City Council presented the proclamation to members of the Leadership Rockwall Class of 2020.

### **4. PUBLIC COMMENT**

This Is An Opportunity For The Public To Address The Council On Any Matter, Except Public Hearings That Are Included On The Agenda. Comments Related To Public Hearings Will Be Heard When The Specific Hearing Begins. Public Comments Are Limited To Three (3) Minutes Per Speaker, Unless Otherwise Required By Law. To Address The Governing Body, Each Speaker Must Complete A Public Comment Form And Present The Completed Form To The City Secretary Prior To The Start Of The Meeting. Each Speaker Shall Approach The Podium And State His/Her Name And Address Before Speaking. Speakers Shall Address The Governing Body With Civility That Is Conducive To Appropriate Public Discussion. Speakers Can Address Only The Governing Body And Not Individual City Officials Or Employees. The Public Cannot Speak From The Gallery But Only From The Podium. Per The Texas Open Meetings Act, The Governing Body Is Not Permitted To Take Action On Or Discuss Any Item Not Listed On The Agenda. The Council May: (1) Make A Statement Of Fact Regarding The Item; (2) Make A Recitation Of Existing Policy Regarding The Item; Or (3) Propose The Item Be Placed On A Future Agenda.

There was no one present wishing speak.

### **5. CONSENT AGENDA**

**A. Approval Of Minutes Of The Council Meetings Held December 2, 2019 And December 16, 2019.**

**B. Approval Of Financial Report For November 2019.**

**C. Approval Of Resolution No. R-2020-001 - Approving A Desire To Join A Coalition Of Non-Member Customer Entities Of The North Texas Municipal Water District And Providing An Effective Date.**

**D. Approval Of Resolution No. R-2020-002 - Authorizing The City Manager To Enter Into An Agreement With National Sign Plazas, Inc., To Install And Maintain Kiosk Signs Within The City Limits And Providing An Effective Date.**

Council Member Robbins made a motion to approve the consent agenda, as presented.

Council Member Fields seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fisher, Megyesi, Fields, Robbins, and Billings.

Nays: None

Mayor Burger declared the motion carried unanimously.

## **6. ACTION ITEMS/PUBLIC HEARINGS**

A. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2020-003 - Approving A Development Agreement Between The City And JTG Holdings, LLC For The Williamsburg East Development And Providing An Effective Date.

City Attorney Brenda McDonald advised the Council that she would like to provide legal advice regarding this agenda item in Executive Session under Texas Government Code Section 551.071.

**EXECUTIVE SESSION: IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, SECTION 551.001, ET SEQ., THE CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION (CLOSED MEETING) TO DISCUSS THE FOLLOWING:**

- In Accordance with Texas Government Code Section 551.071, 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: To receive legal advice regarding agenda item 6A – Development Agreement between the City and JTG Holdings, LLC for the Williamsburg East Development.

The item was read and Mayor Burger recessed the meeting at 6:13 p.m. and convened Executive Session at 6:14 p.m.

**RECONVENE INTO REGULAR 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**

The Executive Session was adjourned at 6:37 p.m. and Mayor Burger reconvened the meeting of the City Council at 6:40 p.m.

City Attorney Brenda McDonald explained agenda items are being considered in a different order and further explained there are three items on the agenda related to a proposed development known as Williamsburg East. The first item the Council will consider is to amend the City's Comprehensive Plan, specifically the Future land use Plan

(FLUP)to allow for the proposed development. Ms. McDonald further explained Comprehensive Plans are guides for decision making but that does not mean the document cannot be amended for unique types of development opportunities. Ms. McDonald reported it is not unusual to amend a Future Land Use Plan. Ms. McDonald explained if the Council approved the amendment then the next item for consideration is the Planned Development District Zoning requested by the Applicant as modified by Staff comments and Planning and Zoning Commission action. Ms. McDonald reported the third item for Council consideration is to approve a Concept Plan for the development. The Concept Plan is the first draft of how the community will be laid-out. Ms. McDonald reported if the Council approves the zoning request, the fourth item for Council consideration is a Development Agreement between the parties.

**Mayor Burger announced agenda item 6C will be considered at this time.**

The City Council returned to Agenda 6A for consideration at which time City Attorney Brenda McDonald provided an overview of the agenda item and explained the provisions of the proposed development agreement.

Matt Mildren and Kelby Golden with PMB Capital Investments spoke about the number of rear entry lots. Mr. Mildren and Mr. Golden engaged in a discussion with City Attorney Brenda McDonald and about front entry garage doors and it was the consensus of the discussion that front facing garage doors will be with single cedar door or a double metal door and they will be split 50/50 among the development.

Discussion ensued among the Council, City Attorney, City Staff, Mr. Mildren and Mr. Golden regarding the number of pennies of the PID assessment that the developer will return to the City for maintenance and operation of the neighborhood. Mr. Golden explained the developer agreed to bury the overhead power lines which is a millions of dollars and kept his proposal of \$0.06 of the PID assessment being returned to the City for maintenance and operation. Council Member Billings expressed concern regarding the Williamsburg Park that was dedicated to the City but is maintained by the HOA. City Attorney Brenda McDonald explained the issue and asked Mr. Mildren and Mr. Golden for their thoughts to include into the development agreement to deal with the park issue.

Mr. Mildren and Mr. Golden left the Council Chambers to discuss the park issue and come up with ideas to address the issue in the development agreement.

**Mayor Burger announced Agenda Item 6B will be considered at this time to allow Mr. Mildren and Mr. Golden time deliberate.**

The City Council returned to Agenda Item 6A for consideration at which time Mr. Golden proposed the HOA maintain all improvements and future improvements of the park as long as the HOA maintenance budget does not increase by more than 30%.

Council Member Fields made a motion to approve Resolution No. R-2020-003 - Approving A Development Agreement Between The City And JTG Holdings, LLC For The Williamsburg East Development with \$0.06 cents of the PID assessment returned to the

City; with agreement that developer is responsible for all improvement and future improvements to park facilities as long as the cost does not increase by more than 30% year over year; and the front facing garage door will be either single cedar door or a divided double metal door and they will be split 50/50 among the lots.

Council Member Hamilton seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fisher, Fields, Robbins, and Hamilton.

Nays: Council Members Megyesi and Billings.

Mayor Burger declared the motion carried.

B. Discuss, Consider, And Take Any Necessary Action Regarding A Zoning Application Submitted By James Mae Leasing, LLC And Epsilon Land Development To Rezone 5.89-Acres From Highway Commercial District To Neighborhood Commercial District For A Montessori School And Associated Childcare Center And For Other Uses Authorized Pursuant To The Neighborhood Commercial Zoning District. The Location Of This Zoning Application Is The Undeveloped Lot Immediately North Of The Animal Hospital Of Fate Off Hwy 66, Commonly Known As 1001 Hwy 66, Rockwall CAD Property ID 10550. Case ZR-19-012.

(1) Applicant Presentation;

Giovanni Zuniga with Epsilon Land Development provided a brief overview of the zoning application and offered to answer questions from the Council regarding the same.

(2) Staff Report And Presentation;

Director of Planning and Development Services Will Rugeley provided a brief overview of the application and answered questions from the Council. Mr. Rugeley reported Planning and Zoning recommendation of approval.

(3) Public Hearing;

Mayor Burger opened the public hearing at 10:31 p.m.

There was no one present wishing to speak.

Mayor Burger closed the public hearing at 10:32 p.m.

(4) Discuss, Consider, And Take Any Necessary Action Regarding **Ordinance No. O-2020-001** - Amending The Comprehensive Zoning Ordinance And Changing The Zoning Classification From Highway Commercial District (HC) To Neighborhood Commercial District (NC) On 5.884 Acres Of Undeveloped Land Located Immediately North Of The Animal Hospital Of Fate, Commonly Known As 1001 Hwy 66, Rockwall CAD Property ID 10550; Amending The Official Zoning Map; Providing A Penalty

Up To \$2,000 Per Day; Providing For Savings, Severability, And Declaring An Effective Date.

Council Member Billings made a motion to approve **Ordinance No. O-2020-001** - Amending The Comprehensive Zoning Ordinance And Changing The Zoning Classification From Highway Commercial District (HC) To Neighborhood Commercial District (NC) On 5.884 Acres Of Undeveloped Land Located Immediately North Of The Animal Hospital Of Fate, Commonly Known As 1001 Hwy 66, Rockwall CAD Property ID 10550; Amending The Official Zoning Map; Providing A Penalty Up To \$2,000 Per Day; Providing For Savings, Severability, And Declaring An Effective Date.

Council Member Robbins seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fisher, Megyesi, Fields, Robbins, Billings, and Hamilton.

Nays: None

Mayor Burger declared the motion carried unanimously.

C. Discuss, Consider, And Take Any Necessary Action Regarding An Application Submitted By Fate 551 LP, JTG Holdings, And PMB Capital To Amend The Future Land Use Plan Designation Of Certain Areas Proposed By The Applicants For Single-Family Residential Uses FROM Suburban Density (5k-15k Sq. Ft. Residential Lots) TO Urban Density (< 5,000 Sq. Ft.) To Authorize A Max Of 350 Units Out Of The Combined Total Of 650 Units For Single-Family Residential Housing With Densities Of 10-Units Per Acre. The General Location Of This Application Is On The East Side Of South FM 551 Between Charleston Ln. And Smith Acres Dr. And Extending Eastward Approximately 2,300-Feet From The Right-Of-Way Of South FM 551 And Is Identified As Rockwall CAD Property ID's 11912, 73541, And 73543. Case FLUP-19-004.

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City Secretary's Note: Council Member Hamilton arrived at 6:45 p.m.

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(1) Applicant Presentation;

Kelby Golden with PMB Capital Investment made a presentation which included the following topics:

Previous Concept Plan

- 460 – 40' lots
- 160 – 50' lots
- 375 MF units
- Total units +/- 995
- All lots were rear entry

### Zoning Update

- Planning and Zoning Commission September 19, 2019
- Withdrew application the following week to revise land plan
- Started door to door seeking input from residents
- Held a public workshop in November with over 30 residents in attendance
- Ongoing calls and email interactions with citizens to gather input

### Citizen Feedback

- Remove Multi-Family Units
- Remove or reduce exterior lots with alleys
- Increase lot size on exterior lots to match surrounding developments
- Reduce density of rear entry product
- Add City Park for citizens to enjoy

### Revised Plan

- 269 – 40' lots
- 127 – 50' lots
- 189 – 60' lots
- Total lots – 585
- Removed Multi-Family
- All exterior lots are now 60' in width and will be front entry
- Reduced overall density from 1,000 units to +/- 585 units
- Reduced 40' and 50' rear entry product from 620 lots to +/- 400 lots
- Added 8+ acre city park
- Amenity center with separate HOA – existing development would add 1,000 people to Williamsburg HOA/Amenity

### PD District Standards

- R-1
- R-2
- R-3

### Landscape/Screening Plan

- Connected trail system throughout the development
- 8-acre City Park
- Dedicated bike lanes along Gettysburg Blvd
- Enhanced landscaping/screening along 551
- Retention Ponds
- 37 acres of open space vs existing zoning requirement of 21 acres (15%)

### Financial Overview

- Williamsburg Original Concept Plan vs. Proposed Concept Plan

### Sample Product Imagery

- Comparison of Elevations – Existing Zoning vs. Proposed
- Garage Door Comparison – Existing Zoning vs. Proposed

### Zoning Comparison

- Masonry requirement Total – Original Zoning vs. Proposed
- Masonry requirement Front Elevation – Original Zoning vs. Proposed
- Roof Pitch – Original Zoning vs. Proposed
- HOA/Amenity – Original Zoning vs. Proposed
- Open Space – Original Zoning vs. Proposed
- PID Rate – Original Zoning vs. Proposed
- Monotony – Original Zoning vs. Proposed

Mr. Golden answered questions from the Council related to the presentation.

### (2) Staff Report And Presentation;

Director of Planning and Development Services Will Rugeley provided a brief overview of the following agenda items and answered questions from the Council regarding the same:

- Future Land Use Plan Amendment Application –Agenda Item 6C
- Zoning Request Application – Agenda Item 6D
- Concept Plan Application – Agenda Item 6E

Mr. Rugeley reported 91 properties totaling approximately 65.085-acres are within the 200' notification area. As of Monday, December 31, 2019, three responses in support of and three in opposition to the application have been received. Five citizens outside of the notice area expressed their opposition, either at the Planning and Zoning Commission meeting or thru written response forms.

Mr. Rugeley reported the Planning and Zoning recommendation of approval of the amendment to the Future Land Use Plan as proposed.

Mr. Rugeley reported the Planning and Zoning recommendation of conditional approval with conditions as stated in the staff summary.

### (3) Public Hearing;

Mayor Burger opened the public hearing at 7:42 p.m.

Lorne Megyesi, 111 Mustang Drive, spoke in opposition to the application.

Beverly Rager Bouknight, 2127 S. FM 551, spoke in support to the application.

Ned Wilson, 3301 N. I-35E, representing David Weekly Homes spoke in support of the application.

Annette Carucci, 933 Corbitt Lane, spoke in opposition to the application.



Trevor Tanner, 203 Spur Drive, spoke in opposition to the application.

Mark Harper, 401 Attlee Drive, spoke in opposition to the application.

Cammy LaBay, 189 Charleston Lane, spoke in opposition to the application.

Devin LaBay, 89 Charleston Lane, spoke in opposition to the application.

Andrew Rapp, 707 Windflower Drive, spoke in support of the application.

Merle Jacobson, 175 Pleasant Hill Lane, spoke in opposition to the application.

Kacy Matlock, 155 Charleston Lane, spoke in opposition to the application.

Logan Wallis, 185 Charleston Lane, spoke in opposition to the application.

Clint Richards, 528 Hunt Farms, spoke in opposition to the application.

Carone Carson, 693 Westport Drive, spoke in opposition to the application.

There was no one else present wishing to speak.

Mayor Burger closed the public hearing at 8:33 p.m.

(4) Discuss, Consider, And Take Any Necessary Action Regarding **Ordinance No. O-2020-002** - Amending The City Of Fate Comprehensive Plan To Amend The Future Land Use Plan Designation Of A Certain Area From "Suburban Density (5k-15k Sf Residential Lots)" To "Urban Density (<5,000 Sf Lots)" To Authorize A Maximum Of 312 Units Out Of The Combined Total Of 650 Units For Single-Family Residential Housing With Densities Of 10-Units Per Acre On 164 Acres Of Land Located On The East Side Of South FM 551 Between Charleston Ln. And Smith Acres Dr. And Extending Eastward Approximately 2,300-Foot From The Right-Of-Way Of South FM 551, Rockwall CAD Property ID's 11912, 73541, And 73543, Amending The Official Future Land Use Plan Map; Providing A Penalty Up To \$2,000 Per Day; Providing For Savings, Severability, And Declaring An Effective Date.

Discussion ensued among the Council, City Attorney and City Staff regarding the proposed amendment to the Future Land Use Plan.

Council Member Hamilton made a motion to approve Ordinance No. O-2020-002- Amending The City Of Fate Comprehensive Plan To Amend The Future Land Use Plan Designation Of A Certain Area From "Suburban Density (5k-15k Sf Residential Lots)" To "Urban Density (<5,000 Sf Lots)" To Authorize A Maximum Of 312 Units Out Of The Combined Total Of 650 Units For Single-Family Residential Housing With Densities Of 10-Units Per Acre On 164 Acres Of Land Located On The East Side Of South FM 551 Between Charleston Ln. And Smith Acres Dr. And Extending Eastward Approximately 2,300-Foot From The Right-Of-Way Of South FM 551, Rockwall CAD Property ID's

11912, 73541, And 73543, Amending The Official Future Land Use Plan Map; Providing A Penalty Up To \$2,000 Per Day; Providing For Savings, Severability, And Declaring An Effective Date.

Council Member Lance seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fields, Robbins, and Hamilton.

Nays: Council Members Fisher, Megyesi, and Billings.

Mayor Burger declared the motion carried.

D. Discuss, Consider, And Take Any Necessary Action Regarding A Zoning Application Submitted By Fate 551 LP, JTG Holdings, And PMB Capital To Amend The Williamsburg Planned Development Zoning District, Ordinance No. O-1085, To Establish A New Planned Development Zoning District On 164-Acres Of Land For Residential Suburban Uses With Densities Of 5-Units Per Acre For A Max Of 250 Units, Residential Suburban Uses With Densities Of 8-Units Per Acre For A Max Of 250 Units, Residential Urban Uses With Densities Of 10-Units Per Acre For A Max Of 350 Units, And To Amend The Development Standards Of The City Of Fate Unified Development Ordinance And Design Criteria And Construction Standards. The Combined Total Number Of Residential Lots Shall Not Exceed 650 And All Lots Will Be Developed As Single-Family Residential Housing. The General Location Of This Application Is On The East Side Of South FM 551 Between Charleston Ln. And Smith Acres Dr. And Extending Eastward Approximately 2,300-Feet From The Right-Of-Way Of South FM 551 And Is Identified As Rockwall CAD Property ID's 11912, 73541, And 73543. Case ZR-19-013.

(1) Applicant Presentation;

Kelby Golden with PMB Capital Investment addresses questions that were raised during the previous agenda item discussion.

(2) Staff Report And Presentation;

The presentation for this item was given during agenda item 6C.

(3) Public Hearing;

Mayor Burger opened the public hearing at 8:56 p.m.

Lorne Megyesi, 111 Mustang Drive, spoke in opposition to the application.

Cammy LaBay, 189 Charleston Lane, spoke in opposition to this application.

Darryla Hahn, 497 Franklin Street, spoke in opposition to this application.

Beverly Bouknight, 2127 S. FM 551, spoke in support of this application.

Mark Harper, 401 Attlee Drive, spoke in opposition to this application.

Devin LaBay, 189 Charleston Lane, spoke in opposition to this application.

There was no one else present wishing to speak.

Mayor Burger closed the public hearing at 9:03 p.m.

(4) Discuss, Consider, And Take Any Necessary Action Regarding **Ordinance No. O-2020-003** - Amending The Comprehensive Zoning Ordinance And Changing The Zoning Classification From Williamsburg Planned Development Zoning District, Ordinance No. O-1085, To Establish A New Planned Development Zoning District On 164 Acres Of Land For Residential Suburban Uses With Densities Of 5-Units Per Acre For A Max Of 250 Units, Residential Suburban Uses With Densities Of 8-Units Per Acre For A Max Of 250 Units, Residential Urban Uses With Densities Of 10-Units Per Acre For A Max Of 312 Units, And To Amend The Development Standards Of The Unified Development Ordinance And Design Criteria And Construction Standards. The General Location Of The Property Is On The East Side Of South FM 551 Between Charleston Ln. And Smith Acres Dr. And Extending Eastward Approximately 2,300-Foot From The Right-Of-Way Of South FM 551, Rockwall CAD Property ID's 11912, 73541, And 73543, City Of Fate, Rockwall County, Texas; Amending The Official Zoning Map; Providing A Penalty Up To \$2,000 Per Day; Providing For Savings, Severability And An Effective Date.

Discussion ensued among the Council, City Attorney and City Staff regarding the zoning application. City Manager Michael Kovacs introduced Kevin Shepherd with Verdunity. Kevin Shepherd, Founder and CEO of Verdunity, spoke on land productivity on small lots compared to larger lots. Mr. Shepherd answered questions from the Council and from citizen Annette Curucci, 923 Corbitt Lane. Further discussion was held regarding the zoning application and whether the applicant would consider reducing the number of 40' lots.

Mayor Burger recessed the meeting at 9:18 p.m. for a break and reconvened the meeting at 9:45 p.m.

Kelby Golden of PMB Capital Investments expressed appreciation for feedback and said they can reduce the amount of 40' lots if the developer gets the \$0.12 back from the PID Assessment.

City Manager Michael Kovacs expressed concern and explained from Staff perspective the City has to figure out a way to make our neighborhoods functional to make the City work long-term. Further discussion ensued among the Council, City Attorney, and City

Staff regarding Mr. Golden' s proposal to reduce the amount of 40' lots and the City will not receive the \$0.12 from the PID for City operation and maintenance.

Mr. Golden reported he will change the proposal to 40% 40' lots and the City will receive \$.06 from the PID Assessment for City maintenance and operation. City Manager Michael Kovacs advised the Council he would have to re-run the public/private ratio but obviously this proposal does not perform as good as the original and discussion ensued among the City Council, City Attorney, and City Staff. City Attorney Brenda McDonald advised the Council that overhead power lines should be dealt with in the zoning.

Council Member Hamilton made a motion to approve Ordinance No. O-2020-003 – and to bury the electrical lines and 40% of property is dedicated to 40' lots with the ordinance being in a final form as approved by the City attorney.

Council Member Ian seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fisher, Fields, Robbins, and Hamilton.

Nays: Council Members Megyesi and Billings.

Mayor Burger declared the motion carried.

E. Discuss, Consider, And Take Any Necessary Action Regarding A 164-Acre Concept Plan Application Submitted By Fate 551 LP, JTG Holdings, And PMB Capital For Single-Family Residential Uses With Densities Of 5-Units Per Acre For A Max Of 250 Units, Residential Suburban Uses With Densities Of 8-Units Per Acre For A Max Of 250 Units, Residential Urban Uses With Densities Of 10-Units Per Acre For A Max Of 350 Units. The Combined Total Number Of Residential Lots Shall Not Exceed 650 And All Lots Will Be Developed As Single-Family Residential Housing. The General Location Of This Application Is On The East Side Of South FM 551 Between Charleston Ln. And Smith Acres Dr. And Extending Eastward Approximately 2,300-Feet From The Right-Of-Way Of South FM 551 And Is Identified As Rockwall CAD Property ID's 11912, 73541, And 73543.CaseCP-19-008.

(1) Applicant Presentation;

There was no applicant presentation.

(2) Staff Report And Presentation;

The presentation for this item was given during agenda item 6C.

(3) Public Hearing;

Mayor Burger opened the public hearing at 9:59 p.m.

Cammy LaBay, 189 Charleston Lane, spoke in opposition to the application.

Mark Harper, 401 Attlee Drive, spoke in opposition to the application.

Devin LaBay, 189 Charleston Lane, spoke in opposition to the application.

There was no one else present wishing to speak.

Mayor Burger closed the public hearing at 10:01 p.m.

(4) Discuss, Consider, And Take Any Necessary Action Regarding **Resolution No. R-2020-004** - Conditionally Approving A Concept Plan For Single-Family Housing Called Williamsburg East On 164 Acres Of Land Located On The East Side Of South FM 551 Between Charleston Ln. And Smith Acres Dr. And Extending Eastward Approximately 2,300-Feet From The Right-Of-Way Of South FM 551, Rockwall CAD Property ID's 11912, 73541, And 73543, City Of Fate, Rockwall County, Texas.

Council Member Hamilton made a motion to approve Resolution No. R-2020-004, approving the concept plan as it will be amended to reflect the decreased 40' lots in accordance with the PD.

Council Member Lance seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fisher, Fields, Robbins, and Hamilton.

Nays: Council Members Megyesi and Billings.

Mayor Burger declared the motion carried.

**Mayor Burger announced agenda item 6A will be considered at this time.**

F. Discuss, Consider, And Take Any Necessary Action Regarding Rescheduling The January 20, 2020 City Council Meeting Due To The Martin Luther King Day Holiday.

Mayor burger explained City offices are closed on January 20, 2020 for MLK Day so we need to reschedule the meeting.

Mayor Burger made a motion to reschedule the January 20, 2020 City Council Meeting to Wednesday, January 22, 2020. Council Member Billings asked the Mayor if it could be Thursday, January 23, 2020 instead. Mayor Burger withdrew his motion.

Council Member Billings made a motion to reschedule the January 20, 2020 City Council Meeting to Thursday, January 23, 2020.

Council Member Robbins seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fisher, Megyesi, Fields, Robbins, Billings, and Hamilton.

Nays: None

Mayor Burger declared the motion carried unanimously.

## **7. MAYOR, COUNCIL, AND CITY MANAGER REPORTS**

Regarding Items Of Community Interest – Pursuant To Texas Government Code Section 551.0415 The Mayor, Council And City Manager May Report On The Following Items: (1) Expression Of Thanks, Congratulations Or Condolences; (2) Information About Holiday Schedules; (3) Recognition Of Individuals; (4) Reminders About Upcoming City Council Events; (5) Information About Community Events; (6) Announcements Involving Imminent Threat To Public Health And Safety.

### **A. Mayor's Report**

Mayor Burger thanked everyone for attending the meeting and expressed he hopes everyone had a Happy New Year.

### **B. Council Reports**

Council Member Billings expressed appreciation to those who attended the meeting.

Council Member Fisher expressed appreciation to those who attended the meeting tonight and wished her son a Happy 25<sup>th</sup> Birthday.

### **C. City Manager's Report**

City Manager Michael Kovacs reported the following upcoming meetings/events:

- City Council Special Meeting – January 13, 2020 at 6:00 p.m.
- Planning and Zoning Commission Meeting – January 16, 2020 at 6:00 p.m.

## **8. EXECUTIVE SESSION: IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, SECTION 551.001, ET SEQ., THE CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION (CLOSED MEETING) TO DISCUSS THE FOLLOWING:**

A. In Accordance With Texas Government Code, Section 551.087, To Discuss Or Deliberate Regarding Commercial Or Financial Information That The City Has Received From A Business Prospect That The City Seeks To Have Locate, Stay, Or Expand In Or Near The Territory Of The City Of Fate And With Which The City Is Conducting Economic Development Negotiations; And To Deliberate The Offer Of A Financial Or Other Incentive To The Business Prospect:

### **1. Project QSM-28**

The item was read and Mayor Burger recessed the meeting at 10:39 p.m. and convened Executive Session at 10:40 p.m.

**9. RECONVENE INTO REGULAR 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**

The Executive Session was adjourned at 12:00 a.m. on January 7, 2020 and Mayor Burger reconvened the meeting of the City Council at 12:02 a.m. on January 7, 2020.

Action taken on items discussed in Executive Session was as follows:

8A. In Accordance With Texas Government Code, Section 551.087, To Discuss Or Deliberate Regarding Commercial Or Financial Information That The City Has Received From A Business Prospect That The City Seeks To Have Locate, Stay, Or Expand In Or Near The Territory Of The City Of Fate And With Which The City Is Conducting Economic Development Negotiations; And To Deliberate The Offer Of A Financial Or Other Incentive To The Business Prospect:

1. Project QSM-28

**No action was taken on this item.**

**10. ADJOURNMENT**

There was no further business before the Council and Council Member Billings moved to adjourn.

Council Member Hamilton seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fisher, Megyesi, Fields, Robbins, Billings, and Hamilton.

Nays: None

Mayor Burger declared the motion carried unanimously and the meeting adjourned at 12:02 a.m. on January 7, 2020.

**APPROVED BY THE CITY COUNCIL ON THIS THE 23<sup>rd</sup> DAY OF January, 2020.**



**APPROVED:**

*Joe Burger*  
Joe Burger, Mayor

**ATTEST:**



Victoria Raduechel, TRMC  
City Secretary