

#### CALL TO ORDER

The meeting was called to order by Mary Ann Hajek, Mayor at 7:00 p.m. Invocation was led by David Windhorst; Pledge of Allegiance was led by Larry Keller Roll Call, those present in addition to the Mayor were Mayor Pro-tem, Larry Keller, r Pro-Tem, Margie Holisky, David Windhorst, Frank Bennett. Gail Beaver was absent.

#### MINUTES

**Consider and act on** approval of the minutes of the City Council meeting/s held February 2, 2023-Regular Meeting, February 17, 2023 Special Meeting  
**David Windhorst made a motion to approve the minutes of both meetings. Frank Bennett seconded. All voted in favor.**

#### STAFF REPORTS

**Consider and possible action on:**

**Financial & Municipal Court Reports** read by City Secretary

**Police Department Activity Report** read by Chief Ralph Sramek. Chief Sramek briefed the council on the Annual Racial Profiling Report council.

**China Grove Fire & Rescue** read by Fire Chief Winfield. Chief Winfield stressed that a permit is always needed before you burn. Contact Fire Chief Winfield before burning preferably by text message to 210-859-2410 on the day of burn to obtain permit.

**Animal Control/Code Compliance** read by Officer, Jason Criollo

#### OPEN PUBLIC HEARING at 7:11 p.m.

**A PUBLIC HEARING TO RECEIVE TESTIMONY AND COMMENTS FROM THE PUBLIC ON the merits of amending the zoning ordinance by rezoning property located at 7504 US Highway 87 E (Rigsby Ave), China Grove, TX to authorize Warehousing and Storage as a conditional use. Corner of Edwards and Lane Dr**

(Galindo & Boyd Properties, LLC Construction Co. Wall Systems use front building for offices other areas for warehousing and storage of Equipment and parking vehicles used doing business)

#### Hear Public Comments:

- **Patrick Christian**, Company Attorney, **Kavon Noorizadeh**, Company Controller and **Manuel Galindo**, Company President addressed council and answered questions regarding the use of the property.
- **Mr. Jim Sheffield**, owner of property abutting the back of 7504 U.S. Hwy 87 expressed his concerns for protecting his water well from any pollution and shielding any lighting trespass onto his property.

#### CLOSE PUBLIC HEARING **Closed at 7:30 p.m.**

#### 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.**

- **David Johnson** addressed council regarding paving of Oma Dr now that it has been determined that all of Oma Dr was dedicated to the city.
- **Maria Gonzales** addressed the council regarding paving rather than patching of Mack Dr.

- **Reynaldo Benitez** addressed the council with the same concerns over the condition of Mack Dr and urging council to re-pave Mack Dr.

**CANDIDATES FOR CITY OFFICER'S** Drawing for place on the May 6, 2023 Election Ballot New candidates were notified of drawing by mail.) *Candidates present for the drawing were Incumbents, Margie Holisky, Larry Keller and Frank Bennett; new candidate David Johnson, new candidate Mark Dubai was not present therefore, after all candidates present drew the remaining place number went to Mark Dubai.*

**Results of Draw for Place on the ballot for May 6, 2023 City Officer's Election:**

- Place 1 Mark Dubai
- Place 2 Frank Bennett
- Place 3 Larry Keller
- Place 4 Margie Holisky
- Place 5 David Johnson

**DISCUSSION / ACTION**

- A. Consider action to affirm appointment of John Mead as Prosecutor for China Grove Municipal court.** (Court prosecutors are appointed for a term of 2 years)  
*David Windhorst made a motion to appoint John Mead as China Grove Municipal Court Prosecutor for another two (2) year term. Larry Keller seconded the motion. All voted in favor.*
- B. Consider action to affirm hiring of Justin Torres as an Officer for China Grove PD.**  
*Larry Keller made the motion to affirm hiring of Justin Torres as Officer for China Grove PD. David Windhorst seconded the motion. All voted in favor.*
- C. Consider action to re-appoint Texas Department of Emergency Management, Louis C. Lopez (Chris) as Emergency Management Coordinator for City of China Grove.**  
*Frank Bennett made the motion to re-appoint Louis C. Lopez as Emergency Management Coordinator for the City of China Grove. Margie Holisky seconded the motion. All voted in favor.*
- D. Discuss Proposed FLOOD DAMAGE PREVENTION Ordinance (PERIODICALLY, a new Flood Damage Prevention Ordinance must be adopted for each new FIRM. (According to: The Legislature of the State of Texas has in the Flood Control Insurance Act, Texas Water Code, Section 16.315, delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses , Bexar County and the communities within are due to receive new Flood Insurance Rate Maps (FIRM) in July 2023. As per 44 Code of Federal Regulations, a new Flood Damage)**  
*After discussion council agreed that additional requirements should be considered for the latest FLOOD DAMAGE PREVENTION ORDINANCE.*
- E. Discussion and possible action on an Ordinance Amending the Zoning Ordinance of the City of China Grove, Texas related to Conditional Use Permit Procedures and other matters in connection therewith.**  
*The Mayor read the title of Proposed Ordinance No.23-0302-1 pointing out Items listed in Exhibit A. including criteria for conditional uses. Margie Holisky made a motion to approve the Ordinance. David Windhorst seconded the motion. All voted in favor.*

**F. Discussion and possible action on Ordinance No. 23-0302-2 Amending the zoning ordinance by rezoning property located at 7504 US Highway 87 E (Rigsby Ave), China Grove, TX to authorize Warehousing and Storage as a conditional use.**(Galindo & Boyd Properties, LLC Construction Co. Wall Systems- use front building for offices other areas for warehousing and storage of Equipment and parking vehicles used doing business)

**Manuel Galindo, Company President and Council members including neighboring property owner discussed concerns and possible solutions.**

**The items discussed as improvements to the site plan to mitigate the public concerns for the uses proposed were:**

- a. Providing a 100' buffer on the property line abutting the residentially zoned property. Removing the base material in the buffer area and restoring to grass.
- b. Shifting some of the outdoor storage to areas behind the existing buildings to minimize view from the public.
- c. Outdoor storage and parking on paved surfaces only.
- d. Any future lighting sources installed to prevent glare and light trespass onto residentially zoned property.

**David Windhorst made a motion to approve the Ordinance with the following conditions:**

- A. The conditional use must comply with the Updated Site Plan attached as Exhibit "B"**
- B. The building must pass a certificate of occupancy inspection.**
- C. The use begins operation within two (2) years of the approval date of this Conditional Use Permit.**

**Frank Bennett seconded the motion. All voted in favor.**

#### **ANNOUNCEMENTS MAYOR/COUNCIL/STAFF-COMMENTS OR STATEMENTS**

None

#### **ADJOURN**

*Larry Keller made a motion to pay bills and adjourn. Margie Holisky seconded the motion. All voted in favor.*

*Mary Ann Hajek*

Mayor