

The Childress City Council met in Called Session Monday, August 22<sup>nd</sup>, 2022, at 6:00 p.m. in the Council Chambers, Childress City Hall, 315 Commerce St., Childress, TX 79201.

Mayor	Cary Preston
Aldermen	Marino Rodríguez Gary Clark John Preston C.T. Taylor Sharon Johnson (absent)
City Manager	Kevin Hodges
City Attorney	Steve Bird

Mayor Preston led invocation and Pledge of Allegiance.

#### Public Comment

Discussed Ordinance 08082022, Ordering Special Election for November 8, 2022 to vote on proposed amendments to Charter. Discussed the need to amend polling locations, as County has declined to include our amendments on their ballot. Polling locations for early voting as well as Election Day will be 315 Commerce St., Childress Texas 79201.

3<sup>rd</sup> Reading of Ordinance 08082022

#### ORDINANCE NO. 08082022

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHILDRESS, TEXAS; ORDERING A SPECIAL ELECTION ON NOVEMBER 8, 2022, TO VOTE ON PROPOSED AMENDMENTS TO THE CHILDRESS CITY CHARTER, AS MORE FULLY SET OUT HEREIN; ESTABLISHING A POLLING PLACE AND PROVIDING GENERALLY FOR THE CONDUCT OF SAID ELECTION; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS, the City Council of the City of Childress seeks to proceed with the ordering of a special election for Tuesday, November 8, 2022, the next uniform election date, and has deemed it advisable to call the election hereinafter ordered; and**

**WHEREAS, the Childress City Charter (hereafter, "Charter" or "City Charter") was adopted by voters in 1917; and,**

**WHEREAS, since that time, the Charter has been updated only a few times, the most recent time in the 1980s, yet there have been numerous changes in federal and state law requirements, public policy, and the needs of a city with a growing population; and,**

**WHEREAS, it has been more than two (2) years since the Charter was last amended; and**

**WHEREAS, the City Council desires to submit proposed amendments to the voters of the City, as authorized by Section 9.004 of the Texas Local Government Code, on the Council's own motion; and**

**WHEREAS, the City Council here expresses its gratitude for the invaluable service performed by a citizen committee appointed to review the Charter and recommend possible revisions; and**

**WHEREAS, the City Council finds it is desirable and in the best public interests for voters to now consider certain amendments to the Charter in accordance with the several propositions described herein;**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHILDRESS, TEXAS:**

**SECTION 1. Pursuant to Texas Local Government Code, section 9.004 that an election is hereby called by and for the City of Childress to be held on the next uniform election date specified by the Texas Election Code, being November 8, 2022, to vote on the following propositions to amend the City of Childress Home Rule Charter, as it currently exists as amended, which shall be separate propositions on a single ballot with the ballot text for each proposition to appear and read as shown below, for the reasons and purposes stated for each proposition:**

**Proposition No. 1 – Annexation and Disannexation**

**WHEREAS, the Charter briefly mentions the City’s power to annex “with or without the consent of the territory and inhabitants annexed.” However, today unilateral annexation without consent of the territory and inhabitants annexed is not allowed and Texas annexation statutes are highly developed with detailed procedures, timelines, restrictions, and notice requirements. NOW, THEREFORE, this proposition shall repeal Article II, Section 4 related to annexation and update Article II, Section 4 to provide that the City has such authority and require that each annexation and disannexation shall be conducted in accordance with applicable state law or ordinance.**

**If Proposition 1 is approved by the voters on November 8, 2022, Section 4 of Article II of the Childress City Charter shall thereafter read as follows:**

**A. ANNEXATION BY CITY COUNCIL. The City Council shall have the power, by ordinance, to fix the boundary limits of the City of Childress; and to provide for the alteration and the extension of said boundary limits, and the annexation of additional territory lying adjacent to the city. The City’s power of annexation shall be conducted in accordance with applicable state law. Residents of annexed territory shall be entitled to all rights and privileges of citizens who reside in the City, and shall be bound by acts, ordinances, resolutions, and regulations of the City. The boundaries of the City shall be those established by ordinance of the City Council enacted in accordance with the procedures provided for in federal, state, or other law. The City Secretary shall keep a correct and complete description of the City boundaries, indicating all annexations, detachments, and disannexations.**

**B. DISANNEXATION. The Council may, by ordinance, disannex any territory within the corporate boundaries of the city, if the Council determines that the territory is not necessary or suitable for city purposes.**

**C. VOTE. Decisions on annexation or disannexation require favorable votes by not less than four (4) members of the City Council.**

**Section Affected: Article II, Sec. 4.**

**Ballot Text: PROPOSITION No. 1**

**To amend Article II, Section 4 of the Childress City Charter to provide that the City’s authority related to annexation and disannexation be conducted in accordance with applicable state law or ordinance.**

**FOR**

**AGAINST**

**Proposition No. 2 – Sale/Conveyance of Real Property Owned by the City**

**WHEREAS, Article III, Section 3A prohibits the City from selling or conveying any real property owned by the City, with limited exceptions, without an election; and WHEREAS, the prohibition in this Section limits the City from selling surplus property and the City desires to have the authority to sell or convey any real property owned by the City in accordance with applicable state law; and WHEREAS, the City recognizes that the City-owned Lake Property (as defined below) would be exempt from this authority. NOW, THEREFORE, this proposition shall amend the Charter by updating the section regarding the sale/conveyance of real property owned by the City to allow the City to sell or convey any real property owned by the City, save and except the Lake Property, in accordance with applicable state law.**

**If Proposition 2 is approved by the voters on November 8, 2022, Section 3A of Article III of the Childress City Charter shall thereafter read as follows:**

**Save and except the Lake Property (defined below), the City of Childress shall have the power to take, hold, lease, grant, purchase, sale, and convey such real property or mixed property or estate, situated within, or without, the limits thereof, in accordance with applicable state law.**

**The City of Childress shall not sell and/or convey the Lake Property unless such sale/conveyance is authorized by a majority of the qualified voters at a general or special election held for that purpose in accordance with law. For purposes of this Section, the term “Lake Property” means the following described property in Childress County, Texas, to wit:**

**All property owned by the City of Childress in the following surveys:**

**LAKE CHILDRESS**

<b>Survey Number</b>	<b>Approximate Acres</b>
735, Block H, W. & N.W. Ry. Co.	138.4
779, Block H, W. & N.W. Ry. Co.	160
780, Block H, W. & N.W. Ry. Co.	490.4
781, Block H, W. & N.W. Ry. Co.	33.29

**Total Acreage 822.09**

**BAYLOR LAKE**

<b>Survey Number</b>	<b>Approximate Acres</b>
5, A. B. & M. Ry. Co.	306.1
4, A. B. & M. Ry. Co.	640
3, A. B. & M. Ry. Co.	210.6
12, A. B. & M. Ry. Co.	75
13, A. B. & M. Ry. Co.	106.2
14, A. B. & M. Ry. Co.	423.21
19, A. B. & M. Ry. Co.	71.35
4, W. J. Benton Survey	41.5
100, F. P. Knott Survey	177.6
10 and 11, G. F. Swift Survey	Unknown

**Total Acreage 2051.56**

**Section Affected: Article III, Sec. 3A.**

**Ballot Text:**

**PROPOSITION No. 2**

**To amend Article III, Section 3A of the Childress City Charter to provide that the City may sale or convey real property it owns, save and except the Lake Property, in accordance with applicable state law.**

**FOR**

**AGAINST**

**Proposition No. 3 – Exemption from liabilities for damages**

**WHEREAS, the Charter has some outdated requirements for individuals who seek to bring a claim or suit against the City which are inconsistent with current State Law. NOW, THEREFORE, this proposition shall amend the Charter by updating the section regarding notice and provisions for damage suits to be consistent with current State Law.**

**If Proposition 3 is approved by the voters on November 8, 2022, Section 7 of Article III of the Childress City Charter shall thereafter read as follows:**

**Before the City shall be liable to damage claim or suit for injury of one’s person or property or death, the person who is injured or whose property is damaged or the person claiming damages from the death or someone on his or her behalf shall give the City Secretary notice in writing within one hundred eighty (180) days after the occurring of the alleged injury or damage, stating specifically in such notice when and how the injury or damage was sustained, and setting forth the extent of the injury or damage as accurately as possible. No action at law for damages shall be brought against the City for injury to one’s person or property prior to the expiration of ninety (90) days from the date of the notice hereinabove**

**described has been provided to the City Secretary. Provided, however, that nothing herein contained shall be construed to mean that the City of Childress waives any rights, privileges, defenses, or immunities in tort actions which are provided under the common law, the constitution and general laws of the State of Texas.**

**Section Affected: Article III, Sec. 7.**

**Ballot Text: PROPOSITION No. 3**

**To amend Article III, Section 7 of the Childress City Charter to update the exemption from liabilities for damage suits.**

**FOR**

**AGAINST**

**Proposition No. 4 – Timing for Special Elections**

**WHEREAS, in Article III, Section 16 (Contest of Franchise Ordinance), Article VII, Section 6 (Runoff election), Article XI, Section 1(7) (Initiative and Referendum), and Article XI, Section 2(5) (Recall), the Charter specifies exact time periods for Special Elections; However, State Law supersedes these Charter provisions and the Texas Election Code now mandates all election dates and time periods for all activities related to conducting any election and the state mandated times and dates are subject to change by the Legislature; NOW, THEREFORE, this Proposition shall remove and amend specified time periods for such elections and instead outline a general requirement specifying that all aspects of such elections shall occur on the next available date that is allowed or required by State Law.**

**First, if Proposition 4 is approved by the voters on November 8, 2022, the fourth sentence of Article III, Section 16 of the Childress City Charter shall thereafter read as follows:**

**Such election shall be held on the next available uniform election date for which the City may meet all statutory deadlines after the date of filing said petition, and if at said election the majority of the votes cast shall be for the granting of such franchise or privilege, said ordinance and the making of said proposed grant shall thereupon become effective, but if the majority of the votes cast at said election shall be against the granting of such franchise or privilege, such ordinance shall be ineffective and the making of such proposed grant shall be null and void.**

**Second, if Proposition 4 is approved by the voters on November 8, 2022, Article VII, Section 6 of the Childress City Charter shall thereafter read as follows:**

**Should any candidate fail to receive a majority of the votes at the election for the office for which he is a candidate, the governing authority shall immediately order a Runoff Election to be held on a date as prescribed by the Texas Election Code, at which runoff election the names only of the two candidates receiving the highest number of votes at said former election, for the office for which they were candidates, shall be printed on the ballot and submitted to the qualified voters for election, and the candidate receiving the majority of votes at such runoff election for the place or office for which he was a candidate shall be declared elected.**

**Third, if Proposition 4 is approved by the voters on November 8, 2022, Article XI, Section 1(7) of the Childress City Charter shall thereafter read as follows:**

**After receipt of such certificate and the certified copy of the proposed ordinance or resolution, the person exercising the duties of the City Clerk shall present such certificate and certified copy of the proposed ordinance or resolution to the City Council at its next regular meeting. Such ordinance or resolution proposed for adoption or repeal shall be submitted by the City Council to vote of the electors at an election to be held on the next available uniform election date for which the City may meet all statutory deadlines.**

**Finally, if Proposition 4 is approved by the voters on November 8, 2022, Article XI, Section 2(5) of the Childress City Charter shall thereafter read as follows:**

**All papers comprising a recall petition shall be returned and filed with the person exercising the duties of City Clerk within thirty (30) days after the filing of the affidavit herein before provided for. The person exercising the duties of City Clerk upon the return of such petition, shall at once submit the same to the governing authority of the city, and shall notify the officer or officers sought to be recalled of such action. If the official whose removal is sought does not resign within five (5) days after such notice is given, the governing authority of the City shall thereupon order and fix a day for holding a recall election, the date of which election shall be on the next available uniform election date for which the City may meet all statutory deadlines.**

**Sections affected: Article III, Section 16; Article VII, Section 6; Article XI, Section 1(7); and Article XI, Section 2(5).**

**Ballot Text: PROPOSITION No. 4**

**To amend Article III, Section 16 (Contest of Franchise Ordinance), Article VII, Section 6 (Runoff election), Article XI, Section 1(7) (Initiative and Referendum), and Article XI, Section 2(5) (Recall) of the Childress City Charter to remove and amend specified time periods for contest of franchise ordinances, initiative, referendum, and recall elections and instead outline a general requirement specifying that all aspects of such elections shall occur on the next available date that is allowed or required by State Law.**

**FOR**

**AGAINST**

**Proposition No. 5 – Peace and Good Order**

**WHEREAS, the City Charter gives a long list of powers related to peace and good order within the City; and WHEREAS, this provision is outdated and needs to be simplified to current realities. NOW, THEREFORE, this proposition shall amend the Charter to update Article III, Section 20 to provide a general statement related to the City’s powers related to peace and good order.**

**If Proposition 5 is approved by the voters on November 8, 2022, Section 20 of Article III of the Childress City Charter shall thereafter read as follows:**

**The City shall have all the authority granted home rule cities by state law as well as all authority not prohibited by state law to exercise its police powers for the protection of the health, safety, and welfare of the public and to identify, define, abate, and punish any public nuisance existing or threatening to exist within the City or outside the City limits for a distance of 5,000 feet.**

**Section Affected: Article III, Section 20.**

**Ballot Text: PROPOSITION No. 5**

**To amend Article III, Section 20 of the Childress City Charter to provide a general statement related to the City’s powers related to peace and good order.**

**FOR**

**AGAINST**

**Proposition No. 6 – Municipal Court**

**WHEREAS, in Article IV, Sections 1 – 10 the Charter provides details regarding the appointment, qualifications, powers and duties of the Municipal Court Judge; and WHEREAS, the Charter has some outdated provisions regarding the name of the court, the judge, removal of the Municipal Court Judge, and does not provide for the appointment of a temporary judge to serve when the regular judge is not able or available that needs to be corrected; and WHEREAS, the Charter prescribes procedures, timelines, and details related to criminal procedure because in 1917 there was little state law on the subject. However, today state statutes regarding criminal procedure in municipal courts are highly developed; NOW, THEREFORE, this proposition shall repeal and replace Article IV, Sections 1 through 10 related to the Municipal Court to update provisions for the creation and jurisdiction of the Municipal Court, criminal procedure in the Municipal Court,**

**the term and removal of the Municipal Court Judge, and appointment of a temporary judge if the regular judge is temporarily unable to act.**

**If Proposition 6 is approved by the voters on November 8, 2022, Sections 1 – 10 of Article IV of the Childress City Charter shall thereafter read as follows:**

**There shall be established and maintained a court designated as a municipal court for the trial of misdemeanor offenses, with all such powers and duties as are now or hereafter may be prescribed by the laws of the State of Texas relative to municipal courts. The municipal court shall be presided over by a judge who shall be known as the “Judge of the Municipal**

Court;” who shall be appointed by a majority vote of the Council for a definite period of time not less than two years and not more than four years, at such salary as may be fixed by the Council. The salary and the period for which the judge is appointed shall be fixed by the Council at the time of the judge’s appointment. The judge cannot be discharged by the Council during such period except for malfeasance in office, conviction of a felony or conviction of a misdemeanor involving moral turpitude, nor may the Council reduce the judge’s compensations fixed for the tenure of service during the term for which the judge was appointed. The City Council by ordinance may provide for the appointment of one (1) or more judges to serve if the regular judge is temporarily unable to act. There shall be a clerk of said court appointed by the City Manager.

**Sec. 2. – Sec. 10. Repealed**

**Sections Affected: Article IV, Sections 1 through 10.**

**Ballot Text: PROPOSITION No. 6**

To amend Article IV, Section 1 of the Childress City Charter to update provisions for the creation and jurisdiction of the Municipal Court, criminal procedure in the Municipal Court, the term and removal of the Municipal Court Judge, and appointment of a temporary judge if the regular judge is temporarily unable to act, and to repeal Article IV, Sections 2 through 10 in accordance with the amendment to Article IV, Section 1.

**FOR**

**AGAINST**

**Proposition No. 7 – Poll tax – Repeal**

WHEREAS, Article V, Section 2, the Charter provides for a poll tax and such a tax has been prohibited since the 1960s. NOW, THEREFORE, this Proposition shall repeal and delete Article V, Section 2.

If Proposition No. 7 is approved by the voters on November 8, 2022, Section 2 of Article V of the Childress City Charter shall thereafter read as follows:

**Sec. 2. Repealed**

**Section affected: Article V, Section 2.**

**Ballot text: PROPOSITION No. 7**

**The amendment to repeal Article V, Section 2 (poll tax) of the Childress City Charter.**

**FOR**

**AGAINST**

**Proposition No. 8 – Board of Equalization – Repeal**

WHEREAS, the Charter creates a Board of Equalization; and WHEREAS, such a Board is not functioning in any manner and is no longer necessary as the Appraisal District or another appropriate entity now performs these functions; and WHEREAS, this provision should be repealed to conform with current practice; NOW, THEREFORE, this Proposition shall repeal and delete Article V, Section 17.

If Proposition No. 8 is approved by the voters on November 8, 2022, Section 17 of Article V of the Childress City Charter shall thereafter read as follows:

**Sec. 17. Repealed**

**Sections affected: Article V, Section 17.**

**Ballot text: PROPOSITION No. 8**

**The amendment to repeal Article V, Section 17 (Board of Equalization) of the Childress City Charter.**

**FOR**

**AGAINST**

**Proposition No. 9 – Vacancies in Council**

**WHEREAS, the Charter currently provides that any vacancy in the City Council must be filled by special election but prudent practice would allow the Council discretion to appoint a successor in the event of a vacancy with less than one year remaining in a term while requiring that the Council appoint a successor in the event of a vacancy of more than one year to serve until the next regular city election at which time the position will be placed on the ballot for the unexpired term. NOW, THEREFORE, this amendment would amend this section of the Charter by providing that a vacancy in the City Council of under one (1) year shall be filled by majority vote of the remaining members of the City Council and that a vacancy of over one (1) year shall be filled by appointment until the next regular city election at which time a special election for the unexpired term shall be conducted in accordance with state law.**

**If Proposition 9 is approved by the voters on November 8, 2022, Section 3 of Article VII of the Childress City Charter shall thereafter read as follows:**

**A vacancy occurring in the Council, including the office of mayor, shall be filled by a person having the qualifications of an elective official of the city and selected in the following manner: If a single vacancy occurs and the Council member’s seat which is vacated has less than one year remaining, then the Council may appoint a successor to serve the remainder of the term. If the position that is vacated has more than one year remaining, then the Council shall appoint a successor to serve until the next regular city election at which time the position will be placed on the ballot for the unexpired term. If two or more vacancies occur at one time, a special election shall be called by the remaining members of the Council in accordance with the Election Code to fill the vacancies for the unexpired terms.**

**Section affected: Article VII, Section 3.**

**Ballot Text: PROPOSITION No. 9**

**To amend Article VII, Section 3 of the Childress City Charter by providing that a vacancy in the City Council of under one (1) year may be filled by majority vote of the remaining members of the City Council, that a vacancy of over one (1) year shall be filled by appointment until the next regular city election at which time a special election for the unexpired term shall be conducted in accordance with state law, and that if two or more vacancies occur at one time, a special election shall be called by the remaining members of the Council in accordance with the Election Code to fill the vacancies for the unexpired terms.**

**FOR**

**AGAINST**

**Proposition No. 10 – City Council – Qualifications; Conflicts of interest**

**WHEREAS, Article VII, Section 4 of the Charter provides for the qualifications of a member of the City Council, including specifically that each member of the City Council “shall not be indebted to the City,” and such a specific requirement is no longer valid under Texas law; and WHEREAS, this Section further provides a conflicts of interest provision for members of the Council, or any officer or employee of the City that is more restrictive than state law and the City has been following applicable state law.**

**NOW, THEREFORE, this proposition shall delete the outdated requirements for office outlined above and provide for a required period of residency of twelve (12) months; and this Proposition shall amend Article VII, Section 4 to update the conflicts of interest provisions to explicitly acknowledge that the Mayor, and Alderman, or a City Official will follow the rules and regulations regarding conflicts of interests as set out in the Texas Local Government Code, Chapter 171, as amended, or successor statute.**

If Proposition 10 is approved by the voters on November 8, 2022, Section 4 of Article VII of the Childress City Charter shall thereafter read as follows:

The Mayor and each alderman shall be a resident citizen of the City of Childress, shall be a qualified voter of Texas, shall not hold any other public office of emolument, and shall have been such a resident citizen of the City of Childress for a period of not less than twelve (12) months immediately preceding such election; provided, however that any person with the above qualifications, except as to residence, who shall have been a resident for a period of not less than twelve (12) months immediately preceding his election of any of the territory not formerly in the incorporated limits of said city, but which is annexed under the provisions of this charter, may be elected to said office. Any mayor or alderman who, during his or her term in office, establishes his or her domicile outside the City limits, shall thereupon ipso facto forfeit his or her office and the vacancy shall be filled as provided in Article VII, Section 3.

It is hereby prohibited for the Mayor, an Alderman, or a City Official to violate the rules and regulations regarding conflicts of interests as set out in the Texas Local Government Code, Chapter 171, as amended or successor statute. For purposes of this Section, the term "City Official" means any individual subject to the requirements of Texas Local Government Code, Chapter 171.

Section Affected: Article VII, Section 4.

Ballot Text:

**PROPOSITION No. 10**

Shall Article VII, Section 4 of the Childress City Charter regarding the qualifications of the Mayor and each alderman be updated to provide for a required period of residency to twelve (12) months and to comply with current state law and further to explicitly acknowledge that the Mayor, an Alderman, or a City Official will follow the rules and regulations regarding conflicts of interests as set out in the Texas Local Government Code, Chapter 171, as amended, or successor statute?

**FOR**

**AGAINST**

**Proposition No. 11 – Election of Police Chief**

WHEREAS, Article VII, Section 4A of the Charter provides for the election of the Chief of Police but the Chief of Police is no longer an elected position, that having changed at a previous City election for which proper records cannot be found; and WHEREAS, the City desires to clarify and clearly provide that the Chief of Police is appointed by the City Manager, subject to approval by the City Council. NOW, THEREFORE, this proposition shall delete the outdated provision regarding the election of the Chief of Police and provide that the Chief of Police is appointed by the City Manager, subject to approval by the City Council.

If Proposition 11 is approved by the voters on November 8, 2022, Section 4A of Article VII of the Childress City Charter shall thereafter read as follows:

The City Manager shall appoint, subject to approval by the City Council, a Chief of Police for an indefinite term. The Chief of Police shall perform such duties as assigned by the City Manager, as provided for in this Charter, and as required by law. The Chief of Police may be removed from office by the City Manager, subject to approval by the City Council.

Section Affected: Article VII, Section 4A.

Ballot Text: **PROPOSITION No. 11**

Shall Article VII, Section 4A of the Childress City Charter be revised to current City practice and to specifically provide that the Chief of Police is appointed by the City Manager, subject to approval by the City Council?

**FOR**

**AGAINST**



**Proposition No. 12 – Election Day**

**WHEREAS, in Article VII, Section 9, the Charter specifies a precise day for Election Day; and State Law supersedes this Charter provision and the Texas Election Code now mandates all election dates and time periods for all activities related to conducting any election and the state mandated times and dates are subject to change by the Legislature; NOW, THEREFORE, this Proposition shall remove and amend the precise day for Election Day and instead specify that Election Day shall be held on uniform election days prescribed by State Law.**

**If Proposition 12 is approved by the voters on November 8, 2022, Article VII, Section 9 of the Childress City Charter shall thereafter read as follows:**

**The regular municipal election of the City of Childress shall be held on the uniform election day prescribed by state law.**

**Section Affected: Article VII, Section 9.**

**Ballot Text: PROPOSITION No. 12**

**To amend Article VII, Section 9 of the Childress City Charter to remove and amend the precise day for Election Day and instead specify that Election Day shall be held on uniform election days prescribed by State Law.**

**FOR**

**AGAINST**

**Proposition No. 13 – Election Laws Controlling**

**WHEREAS, in Article VII, Section 10, the Charter references outdated laws regarding conducting elections in the city and the Texas Election Code now mandates all election dates and time periods for all activities related to conducting any election and the state requirements are subject to change by the Legislature; NOW, THEREFORE, this Proposition would amend this Section to provide that all City elections shall be conducted in accordance with the Texas Election Code, as amended.**

**If Proposition 13 is approved by the voters on November 8, 2022, Article VII, Section 10 of the Childress City Charter shall thereafter read as follows:**

**All City elections shall be conducted in accordance with the Texas Election Code, as amended.**

**Section Affected: Article VII, Section 10.**

**Ballot Text: PROPOSITION No. 13**

**To amend Article VII, Section 10 of the Childress City Charter to remove the outdated references and provide that all City elections shall be conducted in accordance with the Texas Election Code, as amended.**

**FOR**

**AGAINST**

**Proposition No. 14 – Meeting of the City Council**

**WHEREAS, Section 14 of Article VII of the City Charter states that it may determine its own rules and orders of business and minutes and the conduct of such meetings and such matters are now provided for in the Texas Open Meetings Act. NOW, THEREFORE, this Proposition would add authority of the Mayor to cancel any regular meeting in certain situations and add specific references to the Texas Open Meetings Act to provide that all notices and meetings will be done in accordance with the Texas Open Meetings Act, as amended, or successor statute.**

**If Proposition No. 14 is approved by the voters on November 8, 2022, Section 14 of Article VII of the Childress City Charter shall thereafter read as follows:**

At the first regular meeting of the city council of the City of Childress following the regular municipal elections, or as soon thereafter as is practical, the council shall meet at the usual place for holding such meetings, and the newly elected members shall qualify and assume the duties of office. The council shall then set by resolution, a time and place certain at which they shall hold their regular meetings which shall be held on the same day, hour and place each month, with the exception of the meeting dates that fall on the following holidays: Memorial Day, Labor Day, Fourth of July, Christmas and New Year's Day, in which case said meeting shall be at the same hour and place on the first business day (excluding Saturday and Sunday), that follows said official holiday. The Mayor may cancel any regular meeting in the event of the lack of a quorum, the lack of necessary business to transact, or for any other reason the Mayor determines is in the best interests of the City. Special meetings shall be called by the City Secretary upon request of the mayor or three aldermen. Public notices of the date, hour and place of City Council meetings shall be given in accordance with the Texas Open Meetings Act, as amended, or successor statute. All meetings of the City Council must be conducted in accordance with the Texas Open Meetings Act, as amended, or successor statute.

Section affected: Article VII, Section 14.

Ballot text:

**PROPOSITION No. 14**

To amend Article VII, Section 14 of the Childress City Charter to give the Mayor authority to cancel a regular council meeting in certain situations and to explicitly acknowledge that notices must be given and meetings must be conducted in accordance with the Texas Open Meetings Act.

FOR

AGAINST

**Proposition No. 15 – Legislative Procedure**

WHEREAS, Section 16 of Article VII of the City Charter provides for legislative procedures that require the Mayor to be at all meetings to constitute a quorum, require all aldermen to vote on every matter before the Council without providing an exception when there is a legal conflict of interest, and do not clearly state when the Mayor votes. NOW, THEREFORE, this Proposition would clarify the requirement for a quorum and voting, provide that all aldermen must vote on every matter before the Council unless there is a legal conflict of interest, and clearly state when the Mayor votes.

If Proposition No. 15 is approved by the voters on November 8, 2022, Section 16 of Article VII of the Childress City Charter shall thereafter read as follows:

Any four members of the Council shall constitute a quorum for the transaction of any business, and the affirmative vote of a majority of such quorum shall be sufficient and necessary to adopt or repeal any ordinance or resolution. The vote upon the passage or repeal of any ordinance or resolution shall be taken by "Yea" and "Nay" vote and entered upon the journal. Unless there is a legal conflict of interest, all Aldermen present shall vote upon every question, ordinance, or resolution. Any alderman refusing to vote shall be entered on the journal as voting in the affirmative. The Mayor may participate in the discussion of all matters coming before the Council, but shall be entitled to a vote as a member thereof only when necessary to break a tie vote of the Aldermen. Every ordinance passed by the Council shall be signed by the Mayor, and attested by the person acting as Secretary, and the seal of the City impressed thereon within two days after its passage.

Section affected: Article VII, Section 16.

Ballot text: **PROPOSITION No. 15**

To amend Article VII, Section 16 of the Childress City Charter to clarify the requirement for a quorum and voting, provide that all aldermen must vote on every matter before the Council unless there is a legal conflict of interest, and clearly state when the Mayor votes.

FOR

AGAINST

**Proposition No. 16 – Ordinances, enactment of**

**WHEREAS, the Charter requirement of two readings for each ordinance is not stated very clearly and it would be better to clearly state the requirement that the two readings be done at two separate meetings, whether regular or special meetings called in accordance with the Texas Open Meetings Act. NOW, THEREFORE, this Proposition would require that Ordinances must be passed, read, and voted upon at two (2) separate meetings of the Council, whether regular or special meetings.**

**If Proposition No. 16 is approved by the voter on November 8, 2022, Section 17 of Article VII of the Childress City Charter shall thereafter read as follows:**

**Each proposed ordinance or resolution shall be introduced in written or printed form, shall not contain more than one subject, which shall be clearly stated in the title, but the general appropriation ordinances may contain the various subjects and accounts for which moneys are to be appropriated. No ordinance, unless it be declared an emergency ordinance, shall be passed finally on the date it is introduced, but must be passed, read, and voted upon at two (2) separate meetings of the council, either regular or special meetings.**

**Section Affected: Article VII, Section 17.**

**Ballot Text: PROPOSITION No. 16**

**To amend Article VII, Section 17 of the Childress City Charter to clarify the requirement that Ordinances must be passed, read, and voted upon at two (2) separate meetings of the Council, either regular or special meetings.**

**FOR**

**AGAINST**

**Proposition No. 17 – Emergency measures – defined and provided for**

**WHEREAS, the Charter contains outdated provisions regarding emergency measures and appropriations during an emergency, and WHEREAS, applicable state law is much more defined than when the Charter was passed in 1917. NOW, THEREFORE, this Proposition would update Section 18 of Article VII to detail procedures for emergency ordinances.**

**If Proposition No. 17 is approved by the voter on November 8, 2022, Section 18 of Article VII of the Childress City Charter shall thereafter read as follows:**

**The city council may adopt emergency ordinances to meet an emergency affecting life, health, property, the public peace, or to prevent a material financial loss to the city. Such ordinances shall not levy taxes, grant, renew or extend a franchise, or regulate the rates or fees charged by any public utility. An emergency ordinance shall be introduced in the form and manner generally prescribed for ordinances, except that it shall be plainly designated in the title as an emergency ordinance and shall contain after the enacting clause a declaration stating that an emergency exists and describing the emergency in clear and specific terms. An emergency ordinance may be introduced at any City Council meeting and can be adopted with or without amendment or rejected at the meeting at which it is introduced. The affirmative vote of majority of a quorum of the City Council present and qualified to vote shall be required for adoption. If adopted, the ordinance shall take effect immediately and the caption of the ordinance shall be published as soon thereafter as practicable. Excluding ordinances appropriating funds or authorizing the issuance of financial obligations required to respond to an emergency affecting the public health or safety, every emergency ordinance shall automatically be repealed as of the 61st day following the day on which it became effective. The ordinance may be reenacted if the emergency still exists.**

**Section Affected: Article VII, Section 18.**

**Ballot Text: PROPOSITION No. 17**

**To amend Article VII, Section 18 of the Childress City Charter to provide updated procedures for emergency ordinances.**

**FOR**

**AGAINST**

**Proposition No. 18 – Publication of ordinances**

**WHEREAS, the Charter requires that “all ordinances carrying a penalty shall be published once a week in some daily newspaper published in the City of Childress,” and WHEREAS there is no longer a daily newspaper published in the City of Childress and the newspaper business continues to change because of the internet. NOW, THEREFORE, this Proposition would provide updated publication procedures for Ordinances requiring publication.**

**If Proposition No. 18 is approved by the voter on November 8, 2022, Section 19 of Article VII of the Childress City Charter shall thereafter read as follows:**

**Except as otherwise provided by law or this Charter, the City Secretary shall give notice of the enactment of every penal ordinance and of every other ordinance required by law or this Charter to be published, by causing the descriptive title or caption and summary of the penalty of the same to be published at least one time within ten (10) days after final passage thereof in some newspaper of general circulation in the City or to be submitted to City’s publisher for codified ordinances. The City Secretary shall note on every ordinance and on the record thereof, the dates and medium of its publication, and such notation shall be prima facie evidence of compliance with the requirements of this section.**

**Section Affected: Article VII, Section 19.**

**Ballot Text: PROPOSITION No. 18**

**To amend Article VII, Section 19 of the Childress City Charter to provide updated requirements and procedures for Ordinances requiring publication.**

**FOR**

**AGAINST**

**Proposition No. 19 – Investigation by the city council**

**WHEREAS, Article VII, Section 21 of the Charter states that City Council shall, and citizens may, investigate certain city matters and that the City Council has the power to fine someone who does not cooperate with such an investigation in contempt \$100; and WHEREAS, citizens now have access to public information in accordance with the Public Information Act. NOW, THEREFORE, this Proposition would clarify that it is only the City Council that has such authority of investigation and would also raise the fine for contempt from \$100 to \$500.**

**If Proposition No. 19 is approved by the voter on November 8, 2022, Section 21 of Article VII of the Childress City Charter shall thereafter read as follows:**

**The City Council shall have the power to inquire into and investigate the financial transactions of any office, agency, or department of the City Government, and the acts and conduct of any official or employee. In conducting such investigation, the Council may compel the attendance of witnesses, the production of books and papers, and other evidence, and for that purpose may issue subpoenas or attachments which shall be signed by the Mayor, and which may be served and executed by any officer authorized by law to serve subpoenas or other process or any peace officer of the City. If any witness shall refuse to appear or testify to any facts within his knowledge or to produce any papers or books in his possession or under control relating to the matter under investigation before the council,**

**the council shall have the power to cause the witness to be punished as for contempt, not to exceed a fine of Five Hundred Dollars.**

**Section Affected: Article VII, Section 21.**

**Ballot Text: PROPOSITION No. 19**

**To amend Article VII, Section 21 of the Childress City Charter to clarify that the City Council has the power of investigation of any office, agency, department, official, or employee of the City and to increase the fine for anyone held in contempt of such an investigation from \$100 to \$500.**

**FOR**

**AGAINST**

**Proposition No. 20 – contracts for services – Repeal**

**WHEREAS, Article VII, Section 22, the Charter prohibits contracts for personal services and this section is outdated as current practice occasionally requires such contracts. NOW, THEREFORE, this Proposition shall repeal and delete Article VII, Section 22.**

**If Proposition No. 20 is approved by the voters on November 8, 2022, Section 22 of Article VII of the Childress City Charter shall thereafter read as follows:**

**Sec. 22. Repealed**

**Section affected: Article VII, Section 22.**

**Ballot text: PROPOSITION No. 20**

**The amendment to repeal Article VII, Section 22 (contracts for [personal] services) of the Childress City Charter.**

**FOR**

**AGAINST**

**Proposition No. 21 – Payment of claims**

**WHEREAS, Article VII, Section 25 of the Charter provides for who may sign checks on behalf of the City and this section needs to be updated to conform with current practice of allowing the Mayor or any Alderman and countersigned by the City Secretary or his/her designee. NOW,**

**THEREFORE, this Proposition would provide those checks issued on behalf of the City shall be signed by the Mayor or any Alderman and countersigned by the City Secretary or his/her designee.**

**If Proposition No. 21 is approved by the voter on November 8, 2022, Section 25 of Article VII of the Childress City Charter shall thereafter read as follows:**

**No warrant for the payment of any claim shall be issued by the City unless such claim shall be evidenced by an itemized account approved by and audited and allowed by the governing authority at a regular meeting and all warrants shall be signed by the Mayor or any Alderman and countersigned by the person acting as City Secretary or his/her designee.**

**Section Affected: Article VII, Section 25.**

**Ballot Text: PROPOSITION No. 21**

**To amend Article VII, Section 25 of the Childress City Charter to clarify that checks issued on behalf of the City shall be signed by the Mayor or any Alderman and countersigned by the City Secretary or his/her designee.**

**FOR**

**AGAINST**

**Proposition No. 22 – Contracts**

**WHEREAS, Article VII, Section 28 of the Charter has an outdated amount and outdated language related to the purchasing procedures and contracts to be followed by the City; NOW, THEREFORE, this proposition would update Article VII, Section 28 to clearly provide that the City of Childress will comply with all applicable purchasing and procurement laws when expending public funds.**

**If Proposition 22 is approved by the voters on November 8, 2022, Article VII, Section 28 of the Childress City Charter shall thereafter read as follows:**

Any purchase made or contract entered into by the City of Childress shall be in accordance with the laws of the State of Texas as the same now exist or as they may be amended from time to time, or as provided by City ordinance when not in conflict with State law.  
Section affected: Article VII, Section 28.

Ballot text: PROPOSITION No. 22

To amend Article VII, Section 28 of the Childress City Charter to clearly provide that the City of Childress will comply with all applicable state purchasing and procurement laws and ordinances when expending public funds.

FOR

AGAINST

Proposition No. 23 – Nepotism

WHEREAS, the Charter has a nepotism provision that is contradictory and is more restrictive than applicable state law. NOW, THEREFORE, this Proposition shall delete the current section 29 of Article VII and amend it to explicitly acknowledge that the City will follow applicable state nepotism laws.

If Proposition No. 23 is approved by the voter on November 8, 2022, Section 29 of Article VII of the Childress City Charter shall thereafter read as follows:

The City of Childress shall comply with the state nepotism laws regarding which persons are not qualified to be appointed to any office, position, clerkship, or other service of the city.

Section affected: Article VII, Section 29.

Ballot text: PROPOSITION No. 23

To amend Article VII, Section 29 of the Childress City Charter to explicitly provide that the City will follow applicable state nepotism laws.

FOR

AGAINST

Proposition No. 24 – Hours of labor upon public works

WHEREAS, Article VII, Section 30, the Charter specifies the hours of labor for “laborers, workmen or mechanics” on public works projects “by or on behalf of the city” and this section is outdated and superseded by applicable state and federal law. NOW, THEREFORE, this Proposition shall repeal and delete Article VII, Section 30.

If Proposition No. 24 is approved by the voters on November 8, 2022, Section 30 of Article VII of the Childress City Charter shall thereafter read as follows:

Sec. 30. Repealed

Section affected: Article VII, Section 30.

Ballot text:

PROPOSITION No. 24

The amendment to repeal Article VII, Section 30 (Hours of labor upon public works) of the Childress City Charter.

FOR

AGAINST

**Proposition No. 25 – Re-forming City Council after a Disaster**

**WHEREAS, the current Charter is silent as to how the City Council would re-form in the unlikely event of a joint disaster involving over a quorum of the Council; and WHEREAS, the experience of other Cities suggests it is prudent to have a Charter provision detailing how to re-constitute the Council in such an unlikely event. NOW, THEREFORE, this Proposition shall add Section 33 to Article VII to provide for procedures to re-form the City Council in the unlikely event of a joint disaster.**

**Section affected: Article VII, Section 33.**

**Ballot Text: PROPOSITION No. 25**

**To amend Article VII of the Childress City Charter to add a Section 33 to Article VII which would read as follows: “In the event that a legal quorum of the elected City Council cannot be convened due to a disaster resulting in multiple injuries, deaths, or incapacity of officers, the surviving City Council members and officers first, then members of the following boards, shall constitute an interim City Council for purposes of meeting in numbers sufficient to constitute an interim City Council quorum, within fifteen (15) days of such disaster, or as provided in the Texas Election Code, and shall call for an election to fill vacant City Council positions. Such constituted interim City Council shall serve until the requested election occurs and shall possess all powers possessed by the elected City Council. Such qualifying boards, in order of succession, shall be the (1) Childress Municipal Development District and (2) Planning & Zoning Commission. The elected City Council may pass, by ordinance, such succession procedures and authorizations as it deems necessary.”**

**FOR**

**AGAINST**

**Proposition No. 26 – Of powers**

**WHEREAS, Article VIII, Section 1 of the Charter references cities exceeding one thousand population and outdated state law when providing for the corporate powers of the City generally. To better describe the powers of the City, this section should be expanded to provide more detail. NOW, THEREFORE, this proposition shall amend the Charter to update Article VIII, Section 1 to provide an updated section describing in more detail the City’s powers.**

**If Proposition 26 is approved by the voters on November 8, 2022, Section 1 of Article VIII of the Childress City Charter shall thereafter read as follows:**

- 1. The City of Childress shall have power to ordain and establish such acts, laws, rules, regulations, resolutions, and ordinances, not inconsistent with the Constitution and laws of Texas and of this Charter, as shall be needful for the government, interests, health, welfare, and good order of said City and its inhabitants. Under the name of the City of Childress it shall be known in law and have succession and be capable of contracting and being contracted with, suing, and being sued, impleading, and being impleaded, answering, and being answered unto, in all courts and tribunals, and in all amounts whatsoever, subject to the laws of the State of Texas, or which shall hereafter be passed. The City of Childress shall have the power to take, hold, lease, grant, purchase and convey such real property or mixed property or estate, situated within, or without, the limits thereof, as the purpose of said corporation may require and shall have and use a corporate seal, and change and renew the same at pleasure.**
- 2. Rights Reserved - All suits, taxes, penalties, fines, forfeiture, and all other rights, claims and demands, of every kind and character, which have accrued under the laws in favor of said city, heretofore in force governing the same, shall belong to and vest in said city and shall not abate by reason of the adoption of this Charter, and shall be prosecuted and collected for the use and benefit of said City of Childress and shall not be in any manner affected by the taking effect of this charter; but as to all of such rights, the laws under which they shall have accrued shall be deemed to be in full force and effect.**
- 3. Local Self-Government - The City of Childress shall possess and may exercise the full power of local self-government. It may hold, by gift, deed, devise, or otherwise, any**

character of property, including any charitable or trust fund, and subject to and within the limits of superior law may act in perpetual succession as a body politic.

4. For greater certainty, the following are hereby especially enumerated and referred to as being among the other powers which are hereby conferred upon and which may be exercised by the City of Childress, to-wit:

A. All the powers conferred upon cities and towns by Title 22 of the Revised Civil Statutes of Texas, 1911, except as may hereafter be denied, limited or extended, are hereby

conferred upon the City of Childress as fully and completely as if such powers were herein separately enumerated.

B. All powers, privileges and immunities conferred upon cities of more than five thousand inhabitants, by Section 4 of Chapter 147, Acts of the 33rd Legislature, General Laws Regular Session, at Page 310 to 316, entitled, "An Act Authorizing Cities Having More Than Five Thousand Inhabitants, by a Majority Vote of the Qualified Voters of said City, at an Election Held for the Purpose to Adopt and Amend their Charters, etc; and such powers are hereby conferred upon the City of Childress as fully and completely as if each of said mentioned powers were herein separately enumerated; but enumeration of special powers herein, or in the Statutes referred to, shall not be held or construed to preclude the city from exercising all powers of local government not inhibited by the Constitution and Laws of the State of Texas, or by special limitations in this Charter contained, the purpose of this Charter being to enlarge upon the power extended by the general laws of cities incorporated thereunder, and to secure to the City of Childress, all the powers conferred by the Constitution and Laws of this State upon cities having more than five thousand inhabitants. Sections Affected: Article VIII, Section 1.

Ballot Text: PROPOSITION No. 26

To amend Article VIII, Section 1 of the Childress City Charter to better describe the powers of the City as a Home-Rule municipality.

FOR

AGAINST

#### Proposition 27 – Amendments to Charter

WHEREAS, Article VIII, Section 3 of the City Charter references outdated law when providing for the procedures to amend the Charter and state law now clearly provides for such procedures in Texas Local Government Code 9.004. NOW, THEREFORE, this proposition would amend Article VIII, Section 3 to provide that amendments to the City Charter may be framed and submitted to the voters of the City as provided by applicable state law.

If Proposition No. 27 is approved by the voters on November 8, 2022, Section 3 of Article VIII of the Childress City Charter shall thereafter read as follows:

Amendments to this charter may be framed and submitted to the voters of the city in the manner provided by the laws of the State of Texas, as now or hereafter amended.

Section affected: Article VIII, Section 3.

Ballot Text: PROPOSITION No. 27

To amend Section 3 of Article VIII of the Childress City Charter to follow current state law regarding amending the City Charter.

FOR

AGAINST

#### Proposition No. 28 – Initiative and Referendum – Frequency of Petitions

WHEREAS, the current Charter is silent as to how frequently a matter may be re-submitted to the voters, thereby creating a situation ripe for both voter fatigue and competing or serial petitions on the same topic. NOW, THEREFORE, this Proposition shall



specify that once a matter has been placed on the ballot for a public vote and it passes, then that matter may not again be the subject of an initiative or referendum petition until two (2) years and if the initiative or referendum measure fails to pass, then there shall be no further election called on that subject for a period of four (4) years.

Section affected: Article XI, Section 2.

**Ballot Text: PROPOSITION No. 28**

To amend Article XI of the Childress City Charter to add a Section 2 to Article XI which would read as follows: “If an initiative petition results in the passage of a measure in an election, then there shall be no further initiative or referendum election called on that subject for a period of two

(2) years. If an initiative or referendum measure fails to pass in an election, then there shall be no further election called on that subject for a period of four (4) years.

**FOR**

**AGAINST**

**Proposition No. 29 – Non-Binding Referendum**

**WHEREAS**, the current Charter does not provide the City Council with the authority to conduct a non-binding referendum and state law is unclear if a Home Rule City inherently has this authority; and **WHEREAS**, the experience of other Cities suggests it is prudent to have a Charter provision

granting the City Council the authority to order an election for a non-binding referendum. **NOW, THEREFORE**, this Proposition shall add Section 3 to Article XI to provide that the City Council has the authority to order an election for a non-binding referendum.

Section Affected: Article XI, Section 3.

**Ballot Text: PROPOSITION No. 29**

To amend Article XI of the Childress City Charter to add a Section 3 to Article XI to provide that: “The City Council may, upon its own accord and by a three-fourths majority vote, order an election for a non-binding referendum on a measure without an initiative or referendum petition from citizens.”

**FOR**

**AGAINST**

**SECTION 2.** That the City Secretary is authorized to alter the ballot format as may be necessary to accommodate electronic or other form of balloting.

**SECTION 3.** That the City Secretary is expressly authorized to: obtain election supplies; pay election officials; contract for some or all election duties and services, in accordance with the adopted budget, applicable law, and any joint election agreements.

**SECTION 4.** The election shall be held on November 8, 2022, at the Council Chambers, Childress City Hall, 315 Commerce St., Childress, Texas. Polls will be open on November 8, 2022, between the hours of 7:00 a.m. and 7:00 p.m. Early voting by personal appearance will be conducted each weekday at the Council Chambers, Childress City Hall, 315 Commerce St., Childress, Texas, between the hours of 8:00 a.m. and 5:00 p.m. beginning on October 24, 2022 and ending on November 4, 2022. Applications for ballot by mail shall be requested from and mailed to: City of Childress, ATTN: City Secretary, 315 Commerce St, Childress, Texas 79201. Applications for ballot by mail must be received no later than close of business on October 28, 2022.

**SECTION 5.** All qualified voters of the City shall be permitted to vote at said election. Notwithstanding any provisions to the contrary in this ordinance, the election shall be held and conducted in accordance with the Texas Election Code and the Voting Rights Act of 1965, as amended, and as may otherwise be required by law.

**SECTION 6.** The form of the notice prescribed by the Texas Secretary of State’s Office shall serve as proper notice of said election. Said notice, including a Spanish translation

thereof, shall be given by publishing it and posting it in accordance with Section 4.003, of the Texas Election Code.

**SECTION 7.** The Mayor, the Mayor Pro Tem, the City Manager, and the City Secretary, or any one of them, are authorized on behalf of the City Council to evidence adoption of this Ordinance and to do all other things legal and necessary in connection with the holding and consummation of such election and to give effect to the intent of this Ordinance.

**SECTION 8.** If any word, phrase, clause, sentence, paragraph, section or other part of this Ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by a court of competent jurisdiction, neither the remainder of this Ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section or other part of this Ordinance to any other persons or circumstances, shall not be affected thereby.

**SECTION 9.** All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

**SECTION 10.** The City Council officially finds, determines, and declares that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code. Procedures of Chapter 9 of the Texas Local Government Code.

**SECTION 11. Effective Date.** This ordinance is effective upon passage according to law.

**INTRODUCED, PASSED, AND APPROVED** on first reading this 4th day of August 2022.

**PASSED, APPROVED, AND ADOPTED** on second reading this 8th day of August 2022.

**AMENDMENTS TO POLLING LOCATIONS PROVIDED FOR IN SECTION 4 PASSED AND**

**APPROVED** on third reading this 22nd day of August 2022.

**CITY OF CHILDRESS, TEXAS**

**Roll Call vote:**

**Aye: Alderman Clark; Alderman Taylor; Alderman Preston; Alderman Rodriguez**

**Nay:**

**Absent: Alderwoman Johnson**

**With there being no further business, Council adjourned 6:24 p.m.**

**The minutes were read and approved the \_\_\_\_ day of Sept 2022.**

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**Cary Preston, Mayor**

**ATTEST:**

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**Kevin Hodges, City Manager**