City of Alexandria Meeting Minutes Saturday, November 18, 2023, 9:30 AM City Council Public Hearing Meeting

Present: Mayor Justin M. Wilson, Vice Mayor Amy B. Jackson, Members of Council Canek Aguirre, Sarah R. Bagley, John Taylor Chapman, Alyia Gaskins, and R. Kirk McPike.

Absent: None.

Also Present: Mr. Parajon, City Manager; Ms. Anderson, City Attorney; Mr. Moritz, Director, Planning and Zoning (P&Z); Ms. Williams, Assistant Director, P&Z; Mr. Freed, Director, Office of Climate Action; Mr. Shelby, Urban Planner, P&Z; Ms. McIlvaine, Director, Office of Housing; Ms. Horowitz, Principal Planner, P&Z; Ms. Zechman Brown, Deputy City Attorney; Mr. Smith, Information Technology Services (ITS); Ms. Demeke, ITS; and Police Lt. North.

Recorded by: Gloria Sitton, City Clerk and Clerk of Council.

I. OPENING

1. Calling the Roll.

Mayor Wilson called the meeting to order and the City Clerk called the roll. All members of City Council were present, with Councilman Aguirre and Councilman Chapman participating remotely via Zoom.

2. Approval of Electronic Participation Resolution by Members by City Council. [ROLL-CALL VOTE]

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilwoman Gaskins and carried unanimously by roll-call vote, City Council approved the Electronic Participation Resolution. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike: Opposed, none.

The resolution reads as follows:

RESOLUTION NO. 3199

Resolution Regarding Electronic Participation by a Member of City Council

WHEREAS, Virginia Code Section 2.2-3708.2 provides that an individual member of a public body may fully participate in meetings electronically if any such member meets the criterial of the code and the public body has adopted an Electronic Meeting Policy; and

WHEREAS, City Council adopted an Electronic Participation Policy on June 22, 2021 as Resolution No. 3011; and

WHEREAS, City Council Member Canek Aguirre has notified the Mayor and the Clerk that he is unavailable to be physically present for the November 18, 2023 City Council Public Hearing due to a personal matter; and

WHEREAS, City Council Member John Taylor Chapman has notified the Mayor and the Clerk that he is unavailable to be physically present for the November 18, 2023 City Council Public Hearing Meeting due to a personal matter; and

WHEREAS the Council Members have not participated in more than 25% of City Council Meetings by electronic means during this calendar year; and

WHEREAS the City Council Members will participate in the City Council Meeting by Zoom Video Conference Call from Atlanta, Georgia and arrangements have been made to ensure the members shall be heard by all participants at the City Council Meeting; and

WHEREAS a quorum of the City Council is physically assembled in person.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALEXANDRIA, VIRGINIA:

That pursuant to Virginia Code 2.2-3708 and the City Council's Electronic Meeting Policy Resolution 3011, City Council Member Canek Aguirre and City Council Member John Taylor Chapman will participate remotely in this meeting by video conference call.

3. Public Discussion Period

The following persons participated in the public discussion period:

- 1. Libby Bawcombe, Alexandria, spoke about funding for City libraries and increased compensation for library employees.
- 2. Janice Grenadier, Alexandria, spoke about corruption with the courts and with law enforcement.
 - 3. Frank, Alexandria, spoke about issues with the City Attorney's Office.
- 4. Bernadette Desario, Alexandria, spoke about the possible renaming of North Early Street and requested that Council reconsidered renaming the street.

WHEREUPON, upon motion by Councilwoman Gaskins, seconded by Vice Mayor Jackson and carried unanimously, City Council closed the public discussion period. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

II. **ACTION ITEMS Planning Commission**

Consent Calendar (4-7)

Special Use Permit #2023-00072 4.

> 5318 and 5320 Eisenhower Avenue (parcel address: 5300 Eisenhower Avenue) Public Hearing and consideration of a Special Use Permit for expansion of an existing non-complying general automobile repair use (amending Special Use Permit #2004-00049); zoned OCH/Office Commercial High

Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission staff report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 4; 11/18/23, and is incorporated as part of this record by reference.)

5. Special Use Permit #2023-00079

> 600 Madison Street and 724, 728, 730, and 734 North Saint Asaph Street (parcel address: 734 North Saint Asaph Street)

> Public Hearing and consideration of a Special Use Permit for outdoor dining; zoned CDX/Commercial Downtown (Old Town North)

Applicant: ARP Royal OPCO, LLC, represented by M. Catharine Puskar, attorney

(A copy of the Planning Commission staff report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 5; 11/18/23, and incorporated as part of this record by reference.)

6. Zoning Text Amendment #2023-00005

> Issue: (A) Initiation of a Text Amendment and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend Section 6-300 to: revise the effective date of the Federal Emergency Management Agency's (FEMA) updated Flood Insurance Rate; revise existing and add new definitions related to floodplain management and development in floodplain districts; revise existing and add new sections to update language related to floodplain management and regulations for development in floodplain districts in compliance with federal regulations related to the National Flood Insurance Program (NFIP); and to correct typographical errors. Staff: City of Alexandria - Department of Transportation & Environmental Services

Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission staff report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 6; 11/18/23, and is incorporated as part of this record by reference.)

7. Public Hearing and Consideration of A First Amendment to a Five-Year License Agreement dated November 1, 2022, between the City of Alexandria, Virginia and Crown Castle Fiber, LLC. to Permit Crown Castle to construct and install an additional enterprise fiber route of approximately 400 feet in the City of Alexandria's Virginia Public Rights-of-Ways.

(A copy of the City Manager's memorandum is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 7; 11/18/23, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilmember Bagley, seconded by Councilwoman Gaskins and carried unanimously, City Council approved the consent calendar. with the exception of docket item #6, which was considered under separate motion. The approvals were as follows:

- 4. City Council approved the Planning Commission recommendation.
- 5. City Council approved the Planning Commission recommendation.
- 7. City Council closed the public hearing and authorized the City Manager to execute the Amendment and to take other actions that are necessary to implement the Amendment.

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

6. Zoning Text Amendment #2023-00005

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(A copy of the Planning Commission staff report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 6; 11/18/23, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilman McPike and carried unanimously, City Council approved the Planning Commission recommendation, subject to the language amendments in the memorandum from the City Manager dated November 17, 2023, incorporating the non-substantive changes. The changes were as follows:

Change Section 6-302 (C) to read, "6-302(C) This section shall be applicable to all applicants for development permits in the floodplain SFHA"

Change Section 6-302(D) to read, "6-302(D) All buildings, not previously mapped into the SFHA by FEMA and are newly mapped partially or wholly into the SFHA by new effective

FEMA maps, for which a building permit shall have been duly and regularly issued by the Department of Code Administration before January 11, 2024, which permit has not expired, may be completed without the necessity of complying with the floodplain district regulations in section 6-300, but after completion, any such building or structure and the land on which it is situated shall be subject to all the provisions of said section."

Change Section 6-302(E) to read, " 6-302(E) All preliminary site plans, not previously mapped into the SFHA by FEMA and are newly mapped partially or wholly into the SFHA by new effective FEMA maps, which have been duly and regularly approved before January 11, 2024, and which have not expired, may be completed without the necessity of complying with the floodplain district regulations in section 6-300, bet after completion, any building or structure on said site plan together with the land included in said site plan shall be subject to all the provisions of said section."

Change Section 6-302(F) to read, "6-302(F) All final site plans, not previously mapped into the SFHA by FEMA and are newly mapped partially or wholly into the SFHA by new effective FEMA maps, which have been dully and regularly approved and released before January 11, 2023, and which have not expired may be completed without the necessity of complying with the floodplain district regulations in section 6-300, but after completion, any building or structure on said site plan together with the land included in said site plan shall be subject to all the provisions of said section."

Change Section 6-302(G) to read, "6-302(G) Any building or structure, not previously mapped into the SFHA by FEMA and are newly mapped partially or wholly into the SFHA by new effective FEMA modes, which is in existence before January 11, 2024, or for which a preliminary or combination site plan, building permit or subdivision approved before January 11, 2024, continues in force and effect shall not be deemed a nonconforming use provided, that any such building or structure which, beginning January 11, 2024, is the subject of substantial improvement shall comply with the floodplain regulations in effect at the time of such improvement."

Change Section 6-303 (N) to read, "6-303(N) Floodproofing. Any combination of measures that results in a structure, including the attendant utilities and equipment, being watertight with all elements substantially impermeable and with structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents."

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

III. Roll-Call Consent Calendar

None.

IV. OTHER BUSINESS

Reports and Recommendations from the City Manager

None.

V. Public Hearing Matters

Please note: This is a continuation of the public hearing on the Zoning for Housing/Housing for All initiatives that began on Tuesday, November 14, 2023. If you spoke on Tuesday you may not speak again on Saturday.

Master Plan Amendment #2023-00005
 Zoning Text Amendment #2023-00007
 2020-2021 Housing Policy Amendments
 Zoning For Housing/Housing For All Initiatives

(A) Public Hearing and consideration of amendments to all chapters of the Alexandria Master Plan to: (1) amend the following sentence wherever it occurs, from "Areas of the City currently zoned residential should remain zoned for residential use at no higher than their current density" to "Areas of the City currently zoned residential should remain zoned for residential use:" (2) incorporate the following notes in all Master Plan chapters: "References to low density will continue to refer to development configuration that limits overall building height and lot coverage compatible with the existing neighborhood" and "Ensure race and social equity is 'incorporated and centered in all planning' per City Council's Resolution 2974 including, but not limited to, all references to preserving and protecting neighborhoods and character"; and (3) amend the Housing Master Plan, Zoning Tools Section, Page 107, to add a statement supporting use of the Residential multifamily/RMF zone in areas planned and/or zoned for medium or higher density development and other potentially suitable locations. (B) Public Hearing and Consideration of a Text Amendment to the Zoning Ordinance to amend all Articles to implement the following measures from the Zoning for Housing Initiative: (1) Expanding Housing Opportunities in Single-family Zones: amend the R-20, R-12, R-8, R-5, and R-2-5 zones to increase the number of housing units permitted; amend lot and vard requirements in the R-2-5 zone for two-unit dwellings; amend Article VIII to reduce minimum parking requirements, and amend Article XII to exempt lots developed with small scale multi-unit dwellings from site plan requirements; amend the limitation on occupancy limits per unit to allow the same number of occupants allowed by the building code; and delete "roominghouse" definition and regulations. (2) Industrial Zone: add standards for ground floor uses and limitations on locations of vehicular entrances parking and loading spaces. (3) Residential Multifamily Zone: neighborhood-serving commercial uses as permitted and special uses; (4) Historic Development Patterns: in all zones that allow multi-unit dwellings, amend yard and open space requirements for multi-unit uses, delete maximum dwelling units per acre and minimum lot size requirements for multi-unit uses, and delete zone transition setback requirement and require compliance only with other supplemental yard and setback regulations; (5) Townhouses: amend yard, bulk, and open space requirements for single-unit, two-unit, and townhouse dwellings in all zones that allow townhouses; amend lot requirements in the CL, CC, CSL, CG, CD-X, OC, OCM-50, OCM-100, OCH, CRMU-L, CRMU-M, CRMU-H, CRMU-X, and W-1 zones for two-unit dwellings; delete noncomplying provisions in the RA, RB, and RM zones; and create new provisions that allow RM development rights to single-unit, two-unit, and townhouse dwellings on certain lots outside of the RM zone; (C) Public Hearing and Consideration of proposed amendments to update the 2020-2021 Housing Policy (1) to require, as City Policy, that

1/3 of the density requested above what is recommended in the underlying Small Area Plan be provided as committed affordable housing under Zoning Ordinance Section 7-700 and as a condition in Coordinated Development District Special Use Permits and (2) to require as City Policy for commercial to residential conversions in existing buildings that Section 7-700 is applied to allow additional floor area ratio for the proposed residential use. Applicant: City of Alexandria, VA Planning Commission Action:

- Approval of Master Plan Amendment #2023-00005: 7-0 Vote
- Approval of 2020-2021 Housing Policy Amendments: 7-0 Vote
- Approval of Staff Recommendations for 7 Proposals: 7-0 Vote
- Bonus Height Recommendation to Table
- Historic Development Patterns Recommendation to Approve
- Residential Multi-Unit Analysis Recommendation to Approve
- Industrial Zone Analysis Recommendation to Approve
- Coordinated Development District Recommendation to Approve
- Transit Oriented Development Recommendation to Approve
- Commercial to Residential Recommendation to Approve
- Endorsement of Parking Recommendations for the Townhouse Zone and

Single-family Zone Proposal: 5-2 Vote

- Endorsement of Family Definition Recommendation under the Single-Family Zone Proposal: 5-2 Vote
- Endorsement of Staff's Townhouse Zones Recommendation: 7-0 Vote
- Endorsement of Staff's Expanding Housing Opportunities within Single-family Zones Recommendation: 6-1 Vote
- Approval of Zoning Text Amendment #2023-00007: 7-0 Vote

City Council continued the public hearing for this item that began on Tuesday, November 14, 2023. The following persons participated in the public hearing:

- 1. Claire Heffernan, Alexandria, spoke against the zoning ordinance changes.
- 2. Steve Davidson, Alexandria, spoke against the zoning ordinance changes.
- 3. Paul Decourt, Alexandria, spoke against the zoning ordinance changes.
- 4. Bryan Williams, Alexandria, spoke in favor of zoning ordinance changes.
- 5. Marsha Rhea, Alexandria, representing VOICE, spoke in favor of the zoning ordinance changes.
 - 6. Becky Hammer, Alexandria, spoke in favor of the zoning ordinance changes.
 - 7. Frank Putzu, Alexandria, spoke against the zoning ordinance changes.
 - 8. John Fehrenbach, Alexandria, spoke against the zoning ordinance changes.
 - 9. Yvonne Callahan, Alexandria, spoke against the zoning ordinance changes.

- 10. Dr. Shirley Ross, Alexandria, spoke against the zoning ordinance changes.
- 11. David Paladin-Fernandez, spoke in favor of the zoning ordinance changes.
- 12. Andrea Barthello, Alexandria, spoke against the zoning ordinance changes.
- 13. Lea Fowlie, Alexandria, spoke in favor of the zoning ordinance changes.
- 14. Rod Belcher, Alexandria, spoke in favor of the zoning ordinance changes.
- 15. Phillip Reeder, Alexandria, spoke against the zoning ordinance changes.
- 16. James Miceli, Alexandria, spoke in favor of the zoning ordinance changes.
- 17. Bill Rossello, Alexandria, representing the Seminary Hill Association, spoke against the zoning ordinance changes.
 - 18. Peter Sutherland, Alexandria, spoke in favor of the zoning ordinance changes.
 - 19. Ann Shack, Alexandria, spoke against the zoning ordinance changes.
- 20. Dino Drudi, Alexandria, representing the West Old Town Citizens Association, spoke in opposition parts of the zoning ordinance changes.
 - 21. Nancy Jennings, Alexandria, spoke against the zoning ordinance changes.
 - 22. Tim Lovain, Alexandria, spoke in favor of the zoning ordinance changes.
 - 23. Phoebe Coy, Alexandria, spoke in favor of the zoning ordinance changes.
 - 24. Bob Wood, Alexandria, spoke against the zoning ordinance changes.
 - 25. Dorathea Peters, Alexandria, spoke against the zoning ordinance changes.
 - 26. Dane Lauritzen, Alexandria, spoke in favor of the zoning ordinance changes.
 - 27. Ken Notis, Alexandria, spoke in favor of the zoning ordinance changes.
 - 28. Jeanette Powell, Alexandria, spoke against the zoning ordinance changes.
 - 29. Andrew Macdonald, Alexandria, spoke against the zoning ordinance changes.
 - 30. Jennifer Wade, Alexandria, spoke in favor of the zoning ordinance changes.
 - 31. Roberto Gomez, Alexandria, spoke in favor of the zoning ordinance changes.
 - 32. David Byrd, Alexandria, spoke in favor of the zoning ordinance changes.
 - 33. Kristine Hesse, Alexandria, spoke against the zoning ordinance changes.

- 34. Elliott Waters, Alexandria, spoke about the omission of remedies for all the problems with zoning laws.
- 35. Julie Carter Roberts, Alexandria, spoke against the zoning ordinance changes and requested deferral.
 - 36. Matthew Larson, Alexandria, spoke in favor of the zoning ordinance changes.
- 37. Loren DePina, Alexandria, spoke in favor of the zoning ordinance changes and exclusionary zoning.
 - 38. Erin Winograd, Alexandria, spoke against the zoning ordinance changes.
 - 39. Sunny Yoder, Alexandria, spoke against the zoning ordinance changes.
 - 40. Brian Wolfe, Alexandria, spoke in favor of the zoning ordinance changes.
 - 41. Roland Jeannier, Alexandria, spoke in favor of the zoning ordinance changes.
- 42. Nate Hurto, Alexandria, spoke against the zoning ordinance changes and requested deferral.
- 43. Hilary Wanke, Alexandria, spoke about other options for creating affordable housing options.
 - 44. Sylvia Allmena, Alexandria, spoke against the zoning ordinance changes.
 - 45. Joseph Demko, Alexandria, spoke against the zoning ordinance changes.
 - 46. Mary Ellen Bayer, Alexandria, spoke against the zoning ordinance changes.
 - 47. Kathy McKiernan, Alexandria, spoke against the zoning ordinance changes.
 - 48. James B. Snow, Alexandria, spoke against the zoning ordinance changes.
 - 49. Mary Jean Kane, Alexandria, requested that the vote be delayed.
- 50. Scott E. Pedowitz, Washington, D.C., spoke in favor of the zoning ordinance changes.
 - 51. Ivy Whitlatch, Alexandria, spoke against the zoning ordinance changes.
 - 52. Pat Henriquez, Alexandria, spoke against the zoning ordinance changes.
 - 53. Daniel Ciatti, Alexandria, spoke against the zoning ordinance changes.
 - 54. Meronne Teklu, Alexandria, spoke in favor of the zoning ordinance changes.

- 55. Kirk Hansen, Alexandria, spoke against the zoning ordinance changes.
- 56. Brandon Mansur, Alexandria, spoke in favor of the zoning ordinance changes.
- 57. Marliee C. Sanders, Alexandria, spoke against the zoning ordinance changes.
- 58. Al Clark, Alexandria, representing the Environmental Policy Commission, spoke in favor of the zoning ordinance changes.
- 60. Lisl Brunner, Alexandria, representing the Human Rights Commission, spoke in favor of the zoning ordinance changes.
 - 61. Barbara von Geusau, Alexandria, spoke against the zoning ordinance changes.
 - 62. William Kalish, Alexandria, spoke in favor of the zoning ordinance changes.
 - 63. Jud Burke, Alexandria, spoke against the zoning ordinance changes.
 - 64. Lyndsey Clouatre, Alexandria, spoke in favor of the zoning ordinance changes.
 - 65. Edward Olivares, Alexandria, spoke in favor of the zoning ordinance changes.
 - 66. Joseph Sapp, Alexandria, spoke against the zoning ordinance changes.
- 67. Roy Byrd, Alexandria, representing the Coalition for a Livable Alexandria, spoke against the zoning ordinance changes and asked for the vote to be delayed.
- 68. Solomon Ayalew, Hyattsville, Maryland, representing African Communities Together, spoke in favor of the zoning ordinance changes.
 - 69. Darlene Branges, Alexandria, spoke in against the zoning ordinance changes.
 - 70. Marcia Trick, Alexandria, spoke in favor of the zoning ordinance changes.
 - 71. Elizabeth Heider, Alexandria, spoke against the zoning ordinance changes.
- 72. Stephen Milone, Alexandria, representing the Old Town Civic Association, spoke against the zoning ordinance changes.
 - 73. Kathleen Horne, Alexandria, spoke against the zoning ordinance changes.
 - 74. Dr. Joyce Pastore, Alexandria, spoke against the zoning ordinance changes.
 - 75. Flora Buckalew, Alexandria, spoke against the zoning ordinance changes.
 - 76. Margaret Janowsky, Alexandria, spoke against the zoning ordinance changes.
 - 77. Bill Bersing, Alexandria, spoke against the zoning ordinance changes.

- 78. Taylor Cranwell, Alexandria, spoke against the zoning ordinance changes.
- 79. Dawn Hurto, Alexandria, spoke against the zoning ordinance changes.
- 80. Greg Golubin, Alexandria, spoke against the zoning ordinance changes.
- 81. Edward Harmon, Alexandria, requested a referendum on the zoning ordinance changes.
 - 82. Frank Fannon, Alexandria, spoke against the zoning ordinance changes.
- 83. Jackie Brideau, Alexandria, spoke against the zoning ordinance changes and requested a referendum
 - 84. Diana Greve, Alexandria, spoke against the zoning ordinance changes
 - 85. Rob Krupicka, Alexandria, spoke in favor of the zoning ordinance changes.
 - 86. Jesse O'Connell, Alexandria, spoke in favor of the zoning ordinance changes.
- 87. Sean Donovan, Alexandria, spoke about the effects of zoning ordinance changes on housing prices.
 - 88. Kim Nordmeyer, Alexandria, spoke against the zoning ordinance changes.
 - 89. Clark Mercer, Alexandria, spoke in favor of the zoning ordinance changes.
 - 90. Jill Hoffman, Alexandria, spoke against the zoning ordinance changes.
 - 91. Mark Mueller, Alexandria, spoke against the zoning ordinance changes.
 - 92. Janine McCombe, Alexandria, spoke against the zoning ordinance changes.

WHEREUPON, upon motion by Councilmember Bagley, seconded by Vice Mayor Jackson and carried unanimously, City Council closed the public hearing for this item. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

City Council will consider the item at the November 28 Legislative meeting. City Council requested that staff return with information on various master plans and how the changes in zoning will be impact these master plans, information on the difference between zoning and other housing assistance programs, all options for Council to use for consideration on November 28, including approvals and deferral options and the decoupling of items, and the cost and timeframe for distributing a Citywide mailer.

Ordinances and Resolutions

None.

ADJOURN.

Adopted: January 9, 2024

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Vice Mayor Jackson, seconded by Councilmember Bagley and carried unanimously, City Council adjourned the public hearing meeting of November 18, 2023 at 3:12 p.m. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

APPROVED BY:

JUSTIN M. WILSON MAYOR

ATTEST:

Gloria A. Sitton, CMC City Clerk