

Bryan Moyers, Councilmember  
David Brundage, Councilmember  
Holly Gray-Moore, Mayor Pro-Tem



Carl E. Gierisch, Jr., Mayor

Brian Darby, Councilmember  
Hogan Page, Councilmember  
David Thompson, Councilmember

## **ROANOKE CITY COUNCIL AGENDA SPECIAL MEETING**

**FEBRUARY 15, 2022  
7:15 PM  
500 S. OAK STREET  
ROANOKE, TX 76262-6732**

### **A. CALL CITY COUNCIL TO ORDER**

Invocation and Pledge of Allegiance

### **B. PUBLIC INPUT**

This item is available for citizens to address the City Council on any issues that are not the subject of a public hearing. No action by law may be taken on the topic. The presiding officer reserves the right to impose a time limit on this portion of the agenda. In order to provide the highest quality cable broadcast, all speakers need to speak at the podium.

### **C. PRESENTATION**

1. Home Rule Charter Review Commission Chair Holly Gray-Moore will update Mayor and City Council.

### **D. CONSENT AGENDA**

1. Consider approval of the minutes from the regular City Council meeting held on February 8, 2022.

### **E. NEW BUSINESS**

1. Consideration and action on Ordinance No. 2022-106 ordering a Special Election to be held on Saturday, May 7, 2022, for the purpose of



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submitting to the qualified voters of the City of Roanoke, Texas, three (3) Proposed Home-Rule Charter Amendments.

2. Consideration and action on Ordinance No. 2022-107 ordering a Special Election to be held on the 7th day of May, 2022, for the purpose of submitting to the qualified voters of the City of Roanoke, Texas, a ballot proposition to repeal and terminate the Type B Economic Development Sales Tax, at the rate of one-half of one percent, authorized by Chapter 505 of the Texas Local Government Code contingent upon the eligible voters of the City of Roanoke Crime Control and Prevention District which comprises the City of Roanoke, Texas, approving a ballot proposition to adopt a Sales and Use Tax for the proposed district at the rate of one-half of one percent dedicated to Crime Control and Prevention Programs.

**F. EXECUTIVE SESSION**

The City Council will hold a closed Executive Session meeting pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in:

**Section 551.087**

To deliberate commercial or financial information the City has received from a business prospect, and to deliberate the offer of a financial or other incentive to a business prospect.

**RECONVENE INTO REGULAR SESSION**

The City Council will reconvene into Regular Session, pursuant to the provisions of Chapter 551 of the Texas Government Code, to take any action necessary regarding:

**Section 551.087**

To deliberate commercial or financial information the City has received from a business prospect, and to deliberate the offer of a financial or other incentive to a business prospect.

The City Council reserves the right to adjourn into Executive Session during the course of this meeting to discuss any item on the posted agenda as authorized by Chapter 551 of the Texas Government Code.

**G. ADJOURNMENT**

**CERTIFICATION**



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I certify that the above notice was posted at City Hall, 500 South Oak Street, Roanoke, Texas, on Friday, February 11, 2022, by 5:00 pm, in accordance with Chapter 551, Texas Government Code.

A handwritten signature in blue ink, reading "April S. Hill".

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April S. Hill, City Secretary

\*Any person planning to attend this meeting that may require auxiliary aids or services should request accommodations two (2) days prior to the meeting by calling (817) 491-8152. **BRaille IS NOT AVAILABLE.**

📶 A public wireless network is now available in the Council Chambers for use during meetings. It is available from 7am to 11pm Monday thru Friday. The name of the network is: City Hall Guests



## CITY COUNCIL AGENDA ITEM

TO: Mayor and City Council

SUBJECT: 02/08/2022 CC Minutes

MEETING DATE: February 15, 2022

DEPARTMENT: City Secretary

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**ITEM SUMMARY:**

Consider approval of the minutes from the regular City Council meeting held on February 8, 2022.

**INFORMATION:****STAFF RECOMMENDATION:****SPECIAL CONSIDERATION:****FINANCIAL CONSIDERATION:****ATTACHMENTS:**

1. CCMin 02-08-2022

Bryan Moyers, Council Member  
David Brundage, Council Member  
Holly Gray-Moore, Mayor Pro-Tem



Carl E. Gierisch, Jr., Mayor

Brian Darby, Council Member  
Hogan Page, Council Member  
David Thompson, Council Member

**MINUTES  
ROANOKE CITY COUNCIL  
REGULAR MEETING  
FEBRUARY 8, 2022  
CITY HALL COUNCIL CHAMBERS  
500 S. OAK STREET  
7:00 P.M.**

**PRESENT:** Mayor Carl E. "Scooter" Gierisch, Jr.; Council Members: Brian Darby, David Brundage, Hogan Page, David Thompson, and Bryan Moyers; City Manager Scott Campbell, City Secretary April S. Hill, and City Attorney Jeff Moore.

**DEPT. STAFF:** Assistant City Manager Cody Petree, Chief of Police Jeriahme Miller, Parks and Recreation Director Ronnie Angel.

**ABSENT:** Mayor Pro Tem Holly Gray-Moore, Fire Chief Chris Addington, Public Works Director Shawn Wilkinson, and Director of Fiscal and Administrative Services Vicki Rodriguez.

**A. CALL CITY COUNCIL TO ORDER**

City Council called to order at 7:00 p.m.  
Invocation and Pledge of Allegiance given by Mayor Gierisch.

**B. ANNOUNCEMENTS**

City Manager Scott Campbell thanked City staff for their hard work during the inclement weather, and preparation taken in advance. Mr. Campbell stated the Public Works, Fire, and Police Departments did an outstanding job. Mr. Campbell thanked the person(s) who brought Whataburger to the staff working in the freezing temperatures.

Mayor Gierisch thanked City staff for working as a team during the inclement weather.

Administrator Special Events, Marketing & Tourism Mary Jo Tellin announced the Love of Bar-B-Q event will be held on Saturday, February 12<sup>th</sup>, 1:30 p.m. to 5:30 p.m. Ms. Tellin further stated the event will include 20+ pit masters, an MC, and a culinary legends Q&A session.

**C. PUBLIC INPUT**

No one wished to speak.

**D. CONSENT AGENDA**



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All items listed below are considered routine and will be enacted with one motion. There will be no separate discussion of items unless a Councilmember or citizen so requests, in which event the item will be removed and considered separately.

1. Consider approval of the minutes from the regular City Council meeting held on January 25, 2022.
2. Consider approval of bid award to SPI Asphalt, LLC for the Bowie Street/ US 377 parking lot expansion, for an amount not to exceed \$191,813.00.

Motion made by David Thompson second by Bryan Moyers to approve Consent Items 1-2.

Motion carried unanimously.

**E. NEW BUSINESS**

1. Consideration and action to appoint two (2) members to the Roanoke Economic and Industrial Development Corporation Type A, for a term expiring January 2024. Nominations were made for Donald Glacy, Brandi Potter, and Lewis Rice.

Motion made by Hogan Page second by David Thompson to appoint Donald Glacy.

Motion made by Brian Darby second by David Thompson to appoint Lewis Rice.

Motion carried unanimously.

**F. EXECUTIVE SESSION**

The City Council will hold a closed Executive Session meeting pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in:

**CITY COUNCIL DID NOT CONVENE INTO CLOSED SESSION**

**Section 551.087**

To deliberate commercial or financial information the City has received from a business prospect, and to deliberate the offer of a financial or other incentive to a business prospect.

**G. ADJOURNMENT**

Motion made by David Thompson second by Brian Darby to adjourn the meeting at 7:19 p.m.

Motion carried unanimously.

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Carl E. "Scooter" Gierisch, Jr., Mayor



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April S. Hill, City Secretary



## AGENDA ITEM

TO: Mayor and City Council

SUBJECT: ORD NO 2022-106 Special Election Charter Amendments

MEETING DATE: February 15, 2022

DEPARTMENT: City Manager

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### ITEM SUMMARY:

The City Council appointed the 9-member Home Rule Charter Review Commission on June 22, 2021. The commission has met three times (September 2nd, September 22nd, and January 26th) to review the charter document and formulate recommendations to the Council.

### INFORMATION:

As previously reported, the Home Rule Charter Review Commission has completed its required due diligence by reviewing every section of the charter document. At their September 22, 2021 meeting, the commission unanimously recommended the City Council take no action until the next election date, at which point the Commission would reconvene.

With the potential for a Crime Control and Prevention District election in May, the Home Rule Charter Review Commission reconvened on January 26, 2022. At this meeting, the Commission unanimously confirmed its previous recommendation to move forward with the three (3) proposed amendments to the City Charter, by calling an election.

The proposed amendments are described in the attached minutes and listed in the Ordinance calling the election.

### STAFF RECOMMENDATION:

Recommend council accept the Home Rule Charter Commission's recommendations as presented.

### SPECIAL CONSIDERATION:



## **AGENDA ITEM**

### **FINANCIAL CONSIDERATION:**

#### **ATTACHMENTS:**

1. HRC Minutes 09-02-2021
2. HRC Minutes 09-22-2021
3. HRC Minutes 01-26-2022 - DRAFT
4. ORD NO 2022-106 - Election - special - Home Rule Charter Amendment

Commissioners:

Lewis Rice, Ward 1  
Robbie Anderson, Ward 1  
Brian Darby, Ward 2  
Robert Crawford, Ward 2



Holly Gray-Moore, Chairperson

Commissioners:

Krystle Joyner, Ward 2  
David Stone, Ward 3  
John Huskisson, Ward 3  
David Thompson, Ward 3

**ROANOKE HOME RULE CHARTER  
REVIEW COMMISSION MINUTES  
REGULAR MEETING  
SEPTEMBER 2, 2021  
CITY HALL COUNCIL CHAMBERS  
500 S. OAK STREET  
7:00 P.M.**

**PRESENT:** Chairperson: Holly Gray-McPherson, Commissioners: Lewis Rice, Robbie Anderson, Brian Darby, Krystle Joyner, Robert Crawford, David Stone, John Huskisson, David Thompson.

**DEPT. STAFF:** City Manager Scott Campbell, City Secretary April S. Hill, and City Attorney Jeff Moore.

**A. CALL TO ORDER**

Chairperson Holly Gray-Moore called the Home Rule Charter Review Commission to order at 7:00 p.m.

**B. PUBLIC INPUT**

No one wished to speak.

**C. APPROVAL OF MINUTES**

All items listed below are considered routine and will be enacted with one motion. There will be no separate discussion of items unless a Councilmember or citizen so requests, in which event the item will be removed and considered separately.

1. Motion made by David Thompson second by Robert Crawford to approve the minutes from the regular Home Rule Charter Review Commission meeting held on September 30, 2013.

Motion carried unanimously.

**D. NEW BUSINESS**

1. Discuss proposed content and any revisions to the Home Rule Charter.

Chairperson Holly Gray-Moore gave a background of the history of the Home Rule Charter. Mrs. Gray-Moore further explained that a city has to have a population over 5,000 to create a Home Rule Charter, and in 2008, the City of Roanoke



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surpassed that number, allowing for the election of a Home Rule Charter. With the election and adoption of the Home Rule Charter, Roanoke now had the ability to improve the protection of its residents with more restrictive laws against sex offenders, in addition to the ability to annex property.

Commissioner Brian Darby explained that a General Law City is restricted to state law. A Home Rule city cannot be less restrictive, but they can be more restrictive than state law.

City Attorney Jeff Moore gave an overview of the five (5) types of cities, under Texas Law. (1) Special Law City, (2) Type A General Law City, (3) Type B General Law City, (4) Type C General Law City, and (5) Home Rule Cities. A Home Rule city has more power, as long as it is not in conflict of state law.

Chairperson Gray-Moore stated the Home Rule Charter is the governing document for the city.

Mr. Moore explained state law requires the Charter not be amended more often than every 2 years. However, the Roanoke Home Rule Charter states every 6 years the Charter will need to be reviewed. Mr. Moore further explained that any amendments to the Charter require an election, which are normally held in May and November.

Chairperson Gray-Moore asked if we had amendments, would we be able to place them on the November 2021 ballot.

Mr. Moore stated that we would not; it would have to go on the May 2022 ballot, due to state law requirements when calling an election.

Commissioner David Stone asked if the requirement to publish notices in the newspaper was a state requirement.

Mr. Moore stated that it was. Mr. Moore further explained that every legislative session, the Texas Municipal League (TML) has tried to change the legislation regarding the publications, but to no avail.

Mr. Moore continued his overview of the Home Rule Charter, stating it was modeled after award winning cities, with a few modifications that pertained to the City of Roanoke.

Mr. Stone asked what the current population of Roanoke is.

City Manager Scott Campbell stated the current population is around 9,000.

Mr. Stone asked if the number of City Council members could be increased, due to the increase of population since the original adoption of the Home Rule Charter,



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Maybe adding some additional "at large" members, as opposed to Wards.

Chairperson Gray-Moore stated it could be discussed.

Mr. Stone stated that the mayor and city council compensation be changed to start with a base pay, with an escalation over time, so the Home Rule Charter would not have to be amended every time. A review of compensation could be conducted every 5 years, and determine an increase using a certain formula.

Commissioner Robert Crawford state, in most cities, the mayor votes. Mr. Crawford ask if the reason the Roanoke Mayor does not vote is due to there being six (6) City Council members.

Chairperson Gray-Moore stated that yes, during the original adoption, it was not necessary for the mayor to vote, as most votes are unanimous. However, with things changing, and our demographics changing, it would be a good idea to change that.

Mr. Stone stated that he disagrees on the mayor voting, and it way in which it is written in the Home Rule Charter is best, only casting a vote to break a tie.

Mr. Moore explained Section 3.05(4)(5) in regards to vacancies. Mr. Moore stated due to legislative changes, this merits a change. Currently there is a limited amount of time to fill the vacancy.

Chairperson Gray-Moore stated that she agreed with Mr. Moore, as this was an issue when one of our City Council members passed away, with multiple Special Elections having to be called to fill the vacancy.

Mr. Stone stated that Section 3.05 should be completely rewritten, to avoid Special Elections.

Mr. Moore stated Section 3.05 of the Home Rule Charter could not be completely rewritten, due to the Texas Constitution Article 11, Section 11, which states:

**Article 11 Sec. 11. TERM OF OFFICE EXCEEDING TWO YEARS IN HOME RULE AND GENERAL LAW CITIES; VACANCIES.**

- (b) A municipality so providing a term exceeding two (2) years but not exceeding four (4) years for any of its non-civil service officers must elect all of the members of its governing body by majority vote of the qualified voters in such municipality.

Mr. Moore further explained that there have been some changes in the law, which allow a vacancy to be filled by appointment for the remainder of the term. This would be allowable only if the vacant seat has less than 12 months remaining on the term. An amendment to Section 3.05 of the Home Rule Charter would be required to put this into effect.



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Mr. Stone asked if there were any other elected position in the city, other than the mayor and city council.

Mr. Moore stated there were not.

Mr. Moore continued his overview of the Home Rule Charter.

Mr. Stone asked if the city manager position should have a residency requirement.

Chairperson Gary-Moore stated that it was very important for the city manager to reside within the city. The city manager position is at the forefront and should be available in the event of a major issue, in addition to being a part of the community.

Mr. Stone asked if the city should have an "Inspector General" meaning an outside source to evaluate the performance of departments or individuals. Mr. Stone stated this would be an independent group, who investigates complaints about city government. Mr. Stone further stated the Federal government has implemented this process.

Mr. Moore stated that he has not encountered this with other cities.

City Manager Scott Campbell asked if he was meaning outside of the City Council investigating issues.

Mr. Stone said yes and asked who would investigate, if there were issues within the city government.

Chairperson Gray-Moore explained that the in that instance, an outside company would be employed.

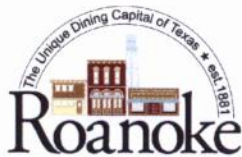
Mr. Campbell explained there have been cities who were investigated by the Texas Rangers. Therefore, if there are any type of criminal activity, the state authorities can be called in to investigate.

Mr. Stone asked who is responsible for verifying that the city is operating within the ordinances that have been passed.

Mr. Moore stated that the public has the ability to have a recall.

Mr. Stone asked who supplies the data to the public so they can make a decision whether there is malfeasance in the city government. Who is responsible for doing that?

City Manager Scott Campbell stated the best way to answer that question is the Public Information Act, which makes city information available to the public. The recall referendum cannot be acted upon without information; this is where the



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Public Information Act comes in. Allowing the public to inspect information, in the event they think there may be wrongdoing.

Mr. Moore stated it would be the responsibility of the citizen to ask for the information. Mr. Moore explained there is also a lot of information placed on the City's web site for viewing.

Mr. Campbell stated there is a process if someone thinks not all of the information or incorrect information has been given. The requestor can file a complaint with the Attorney General's office.

Mr. Moore stated the Attorney General's office has a prosecutors division, in the information can be turned over to the Texas Rangers for an investigation.

Mr. Stone asked how you maintain accountability.

Chairperson Gray-Moore stated it would be through the election process.

Mr. Stone stated that the electric does not always have access to the information.

Chairperson Gray-Moore stated they do have access to information.

Mr. Stone asked where you go to ask for the information, how do you follow the process.

Commissioner David Thompson asked if the instructions were listed on the City's web site.

City Secretary April S. Hill stated that the instructions are listed on the City's web site, in addition to a form to request information.

Mr. Thompson stated that the information is clearly stated on the City's web site and there are serious repercussions if proper procedure is not followed in accordance to the law.

Mr. Campbell stated that City Council recently approved the annual budget, which included a new position to handle the large influx of public records requests the city receives.

Mr. Stone asked if run-off elections could be eliminated.

Mr. Moore stated that run-off elections are used to determine a tie vote, or if there are three people running for office, the Texas Constitution requires a majority (50.001%) of the vote to be elected.

Chairperson Gray-Moore stated she would like to stop here with Article VIII, go



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back, and discuss some of the items that may need amending. Mrs. Gray-Moore further stated the commission could continue going over the rest of the Home Rule Charter at the next meeting.

Items discussed:

- Increasing the number of members to the City Council

Chairperson Gray-Moore stated the number of registered voters in each Ward (as of 09/02/2021), are as follows:

Ward 1 – 1516 (Denton 1465/Tarrant 51)

Ward 2 – 2162

Ward 3 – 2322

City Manager Scott Campbell stated the number of people per Ward was reviewed a few times in the past, and did not require a move of boundary lines. Mr. Campbell asked Mr. Moore in the event the boundaries needed to be adjusted, could it be amended by ordinance.

Mr. Moore stated the boundary lines could be amended by ordinance.

Mr. Stone asked if the population growth warranted some “at large” council members.

Assistant City Manager Cody Petree stated that six (6) city council members is standard with most cities, with exception of the larger cities.

Chairperson Gray-Moore asked the commission if anyone else had any thoughts or concerns that this is something to further review.

Commissioner Robert Crawford asked how close the city was to being “built out.”

Chairperson Gray-Moore stated the city is about 80% built out.

- City Council compensation

Chairperson Gray-Moore stated that she does not want to be a part of the discussion on this item, and feels Commissioner Brian Darby would not either, as they are both current members of the City Council.

Commissioner Brian Darby stated when this was discussed for the originally charter, he was against receiving compensation. Mr. Darby explained since the compensation was included in the Home Rule Charter, he donates it to various city causes. Mr. Darby stated that getting the opportunity to ride in the Christmas Parade is enough compensation for him.



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Chairperson Gray-Moore stated we would conduct a survey of surrounding cities, regarding compensation of mayor and city council.

- Mayor vote

Commissioner David Thompson asked if there would be an issue with the mayor voting, as he votes when there is a tied vote. If the mayor were allowed to vote, this would be seven (7) members voting, so there never would be a tied vote. Mr. Thompson further stated that he does not see an issue with allowing the mayor to vote.

Mr. Stone stated that allowing the mayor to vote changes the power structure, by changing the political dynamics of the city council.

Mr. Thompson stated that he does not see that being the case. Mr. Thompson then asked, what power structure might change if the mayor votes.

Commissioner Robert Crawford stated that whether the mayor does or does not vote, it is still the same vote. Meaning that he votes in the event of a tie.

Commissioner Krystle Joyner asked if other cities mayors vote.

Mr. Moore stated that the majority of cities have voting mayors.

The majority of the commission agreed that the mayor should be allowed to vote.

Mr. Moore stated that he could bring back language for an amendment for the commission to review.

- Filling Vacancies

Mr. Moore gave an overview of the current process for filling a vacant seat. Mr. Moore stated that a procedure could be put into the Home Rule Charter allowing the appointment to fill the vacancy, if the remainder of the term is less than twelve (12) months. As the Home Rule Charter reads now, a vacancy can only be filled with an election.

Mr. Stone asked if there was a way to get around the 120-day requirement to fill a vacancy for a term that has more than 12 months left on the term.

Mr. Moore stated that no, as it is state mandated.

After much discussion on how to make the appointment for a vacant term (with less than 12 months), Mr. Moore stated he would do some research and bring back some alternate language to adequately establish a process.



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- Annual Reviews

Mr. Stone if the word "annual" regarding personnel reviews in Section 4.06 (2)(e), could be removed from the Home Rule Charter.

City Manager Scott Campbell stated that the city currently has a process where personnel is reviewed annually, however, staff meet with personnel when the need arises.

Mr. Stone stated that he meant the word "annual" mandates a review be conducted annually, whether it is need or not.

Mr. Campbell stated personnel get merit raises based on their annual review.

Commissioner Robbie Anderson stated that most employees would like to know how they are doing, so annual reviews are good.

Chairperson Gray-Moore asked the commission members if they would like to go ahead and finish reviewing the Home Rule Charter, instead of waiting until the next meeting.

All commissioners agreed to continue reviewing the charter.

Mr. Moore proceeded with the overview of the Home Rule Charter, beginning with Article VIII.

Chairperson Gray-Moore stated that all of the boards and commissions were appointed by City Council. To be eligible, an applicant must be a resident for a minimum of 12 months to serve. Mrs. Gray-Moore further stated there is an attendance requirement as well.

Mr. Moore further explained the requirements and rules for boards and commissions.

Commissioner Lewis Rice asked for clarification of the "Secretary" position (Article IX, Section 9.01) on the Planning and Zoning Commission.

Assistant City Manager Cody Petree explained that a staff member has the roll of Secretary for the commission.

Chairperson Gray-Moore stated that it helps to have a staff member in that position.

Mr. Moore asked if they want it clarified as a staff position.



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Chairperson Gray-Moore stated yes.

City Manager Scott Campbell asked about the ability to have alternates for boards and commissions, would it require an amendment.

Mr. Moore stated that it could be changed by ordinance.

Mr. Moore continued reviewing the Home Rule Charter.

Chairperson Gray-Moore gave a recap of the meeting and thanked everyone for his or her input.

2. Schedule date for next meeting.

The next scheduled Home Rule Charter Review Commission meeting will be held on Wednesday, September 22, 2021.

E. ADJOURNMENT

Motion made by David Thompson second by Brian Darby to adjourn the meeting at 8:43 p.m.

Motion carried unanimously.

  
\_\_\_\_\_  
April S. Hill, City Secretary

  
\_\_\_\_\_  
Holly Gray-Moore, Chairperson

Commissioners:

Lewis Rice, Ward 1  
Robbie Anderson, Ward 1  
Brian Darby, Ward 2  
Robert Crawford, Ward 2



Holly Gray-Moore, Chairperson

Commissioners:

Krystle Joyner, Ward 2  
David Stone, Ward 3  
John Huskisson, Ward 3  
David Thompson, Ward 3

**ROANOKE HOME RULE CHARTER  
REVIEW COMMISSION MINUTES  
REGULAR MEETING  
SEPTEMBER 22, 2021  
COMMUNITY ROOM #132  
500 S. OAK STREET  
7:00 P.M.**

**PRESENT:** Chairperson: Holly Gray-McPherson, Commissioners: Lewis Rice, Robbie Anderson, Brian Darby, Krystle Joyner, Robert Crawford, David Stone, John Huskisson, David Thompson.

**DEPT. STAFF:** City Manager Scott Campbell, City Secretary April S. Hill, and City Attorney Jeff Moore.

**A. CALL TO ORDER**

Chairperson Holly Gray-Moore called the Home Rule Charter Review Commission to order at 7:02 p.m.

**B. PUBLIC INPUT**

No one wished to speak.

**C. APPROVAL OF MINUTES**

1. Motion made by David Thompson second by John Huskisson to approve the minutes from the regular Home Rule Charter Review Commission meeting held on September 2, 2021.

Motion carried unanimously.

**D. NEW BUSINESS**

1. Discuss proposed content and any revisions to the Home Rule Charter.

City Attorney Jeff Moore went over proposed Charter revisions:

- Section 3.04, allowing the Mayor to vote.

**SECTION 3.04 Mayor and Mayor Pro-Tem**

- (1) The Mayor shall attend and preside at meetings of the City Council. The Mayor shall participate in the discussion of all matters coming before the City Council and shall only vote ~~in cases of a tie vote~~ on matters



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before the City Council. The Mayor shall also represent the City in intergovernmental relationships, present an annual state of the City message, and perform other duties specified by the City Council and/or imposed by this Charter and by ordinances and resolutions passed in pursuance thereof. Additionally, the Mayor may sign, after authorization by the City Council, all contracts and conveyances made or entered into by the City and all bonds, warrants and any other obligation issued under the provisions of this Charter, in the manner prescribed in the ordinance or resolution authorizing the signing of any such obligation. The Mayor shall be recognized as head of the City government for all ceremonial purposes, and by the Governor for purposes of military law, but shall have no regular administrative duties.

- Section 3.05(4)&(5) regarding filling Mayor and City Council vacancies.

**SECTION 3.05(4)&(5)**

- (4) If there is a vacancy in the office of Mayor when less than twelve (12) months remains in the unexpired term, the remaining City Council members may appoint one of its members by majority vote of City Council to serve the remainder of said term. Otherwise, if there is a vacancy in the office of Mayor, a new Mayor shall be elected by special election within one hundred twenty (120) days after such vacancy occurs, in accordance with the Texas Constitution and the Texas Election Code, as amended.
- (5) A vacancy in the office of a Council Member when less than twelve (12) months remains in the unexpired term, the remaining City Council members may appoint an individual by majority vote of City Council to serve the remainder of said term. Otherwise, a vacancy in the office of a Council Member, shall be filled by special election within one hundred twenty (120) days after such vacancy occurs, in accordance with the Texas Constitution and the Texas Election Code, as amended. If the vacated office is that of Mayor Pro-Tem the City Council shall elect a new Mayor Pro-Tem at the next regular meeting.

Chairperson Holly Gray-Moore asked if it would be necessary to include language regarding residency requirements.

Mr. Moore stated there would not be a need for it, as this is outlined in Texas Election Code, and City Charter.

City Attorney Jeff Moore went over other discussed Charter revisions:

- Section 9.01 – Organization

**SECTION 9.01**

- (1) There is hereby established a Planning & Zoning Commission which shall consist of at least seven (7) members who shall be appointed by the City Council to staggered terms of two (2) years in accordance with



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any ordinance adopted by the City Council. The Commission members shall be registered City voters. Any vacancy occurring during the unexpired term of a member shall be filled by the City Council for the remainder of the unexpired term. In July of each year, the Commission shall elect from its members a Chairman, Vice Chairman, and Secretary to serve for one (1) year beginning in that month. Members of the Commission may be removed, with or without cause, by an affirmative vote of a majority of the full membership of the City Council. City staff may serve as assistant secretary for Planning & Zoning Commission.

Commissioner Lewis Rice asked if this would have to go on the election ballot.

Chairperson Gray-Moore stated yes, any changes to the Charter requires an election.

Mr. Rice stated that he was concerned with having too much information on the ballot.

Commissioner David Stone asked if a staff person is filling that roll, does the official "secretary" review and approve them.

Mr. Moore explained the Roanoke Code of Ordinances Section 12.76 states:

**SECTION 12.76 – Created; Membership; Officers; Rules & Bylaws**

(g) In July of each year, the Commission shall elect from its members a Chairman, Vice Chairman and Secretary to serve for one (1) year beginning in that month. The Commission Secretary or City Secretary shall keep minutes of all meetings held by the Planning and Zoning Commission as well as the full record of all recommendations made by the Commission to the City Council.

Mr. Moore further stated that since this is stated in the City's Code of Ordinance, it is not necessary to change the language in the Charter.

Chairperson Gray-Moore asked if everyone agreed with City Attorney Jeff Moore's recommendation that no change is necessary at this time.

All Commission members agreed.

Mr. Moore gave an overview of the last discussion regarding language in Article X, Section 10 of the Charter that pertains to Franchise Fees. Mr. Moore further stated this would not be necessary to change at this time, as the Texas Legislature could change, causing for additional revisions to be needed.

Chairperson Gray-Moore asked if the commission has reviewed the enclosed survey of surrounding cities about Mayor and City Council compensation.



MINUTES FOR THE REGULAR MEETING  
OF THE ROANOKE HOME RULE  
CHARTER COMMISSION

September 22, 2021  
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Mr. Stone stated that the compensation should be small, but be in relation to the level of responsibility the Mayor and City Council has. Mr. Stone further explained that three (3) possible things could be done:

1. Leave it as is
2. Come up with a formula based on level of responsibility
3. Set the amount to a specific number, and then when the Charter is reviewed again, revisit the issue.

Commissioner John Huskisson stated that he does not see an issue with an annual 1% increase up to a set maximum amount.

Commissioner Robbie Anderson stated that this is a service to the community and thought this was brought up, so we could see what the surrounding cities are doing, concerning compensation, so we could make sure we are taking care of our Mayor and City Council.

Mr. Rice asked how long has the Mayor and City Council been receiving their current compensation.

Chairperson Gray-Moore explained it has been this amount since the adoption of the City's Home Rule Charter, in 2008. Chairperson Gray-Moore further stated that the Home Rule Charter has never been amended, since its adoption.

City Manager Scott Campbell explained the Mayor and City Council are reimbursed for any expenses incurred while doing city business, such as travel and conferences. Mr. Campbell further explained this is included in the city's budget, to cover those costs.

After much discussion, Chairperson Gray-Moore stated this leaves the issue of the Mayor's vote and appointments for vacancies.

Chairperson Gray-Moore explained that the next available election date would be May 2022, which should be an off year for city elections, due to three (3) year terms. Chairperson Gray-Moore then asked if the commission feels strongly enough about these two (2) issues to spend tax payers dollars and call an election.

Mr. Stone asked if it could be recommended to City Council, these items be placed on the ballot for the May 2023 election.

Chairperson Gray-Moore asked City Attorney Jeff Moore if we could push it to our next called election.

Mr. Moore state that he would have to check on how far in advance an election can be called.

Mr. Stone stated that if the citizens are already going to vote at an election (not



MINUTES FOR THE REGULAR MEETING  
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city) can we just add it to the ballot, or would this be at increased cost.

Chairperson Gray-Moore stated that adding anything to a ballot, even if the city is not having an election would cost the city.

City Secretary April S. Hill explained that during November elections, the state requires additional election judges and clerks due to voter turnout for State and Federal elections. Ms. Hill further explained it has a much higher cost, than a May uniform election.

Chairperson Gray-Moore stated that both items are important, however spending tax dollars on an election at this time, when it can wait until the next uniform city election.

Mr. Moore suggested the commission meet again, prior to an election, and then submit the changes to City Council.

Motion made by Brian Darby second by John Huskisson to recommend to City Council that no action be taken until the next election date, at which point the Home Rule Charter Review Commission will reconvene to make recommendations at that time.

Motion carried unanimously.

2. Schedule a date for next meeting, if necessary.

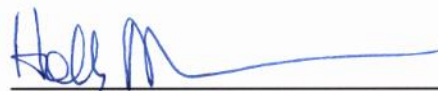
No meeting will be scheduled at this time.

**E. ADJOURNMENT**

Motion made by David Thompson second by Lewis Rice to adjourn the meeting at 7:32 p.m.

Motion carried unanimously.

  
April S. Hill, City Secretary

  
Holly Gray-Moore, Chairperson

Commissioners:

Lewis Rice, Ward 1  
Vacant, Ward 1  
Brian Darby, Ward 2  
Robert Crawford, Ward 2



Holly Gray-Moore, Chairperson

Commissioners:

Krystle Joyner, Ward 2  
David Stone, Ward 3  
John Huskisson, Ward 3  
David Thompson, Ward 3

**ROANOKE HOME RULE CHARTER  
REVIEW COMMISSION MINUTES  
REGULAR MEETING  
JANUARY 26, 2022  
COMMUNITY ROOM #132  
500 S. OAK STREET  
7:00 P.M.**

**PRESENT:** Chairperson: Holly Gray-McPherson, Commissioners: Lewis Rice, Robbie Anderson, Brian Darby, Krystle Joyner, Robert Crawford, David Stone, John Huskisson, David Thompson.

**DEPT. STAFF:** City Manager Scott Campbell and City Secretary April S. Hill.

**A. CALL TO ORDER**

Chairperson Holly Gray-Moore called the Home Rule Charter Review Commission to order at 7:00 p.m.

**B. PUBLIC INPUT**

No one wished to speak.

**C. APPROVAL OF MINUTES**

1. Motion made by David Thompson second by David Stone to approve the minutes from the regular Home Rule Charter Review Commission meeting held on September 22, 2021.

Motion carried unanimously.

**D. NEW BUSINESS**

1. Discuss and possible action on proposed content and any revisions to the Home Rule Charter.

Chairperson Holly Gray-Moore explained that the City of Roanoke would be calling an election to dissolve the Roanoke Community and Economic Development Corporation Type B and create a Crime Control and Prevention District. Chairperson Gray-Moore further stated the last Home Rule Charter Review Commission meeting on September 22, 2021; it was discussed to place Charter amendments on the next called election in the city, and therefore the proposed



**MINUTES FOR THE REGULAR MEETING  
OF THE ROANOKE HOME RULE  
CHARTER COMMISSION**

**January 26, 2022  
Page 2 of 2**

Charter amendments will be on the ballot.

Chairperson Gray-Moore went over the previously discussed Charter amendments, which will be on the ballot.

Board member Lewis Rice asked if the election costs would change by adding the amendments to the ballot, and what are the costs for elections.

City Manager Scott Campbell explained that the election costs are approximately \$7,000 – \$10,000.

The Home Rule Charter Review Commission recommends to City Council to move forward with the proposed amendments to the City Charter, by calling an election.

**E. ADJOURNMENT**

Motion made by David Thompson second by Robert Crawford to adjourn the meeting at 7:06 p.m.

Motion carried unanimously.

---

Holly Gray-Moore, Chairperson

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April S. Hill, City Secretary

## **ORDINANCE NO. 2022-106**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROANOKE, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON SATURDAY, MAY 7, 2022, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF ROANOKE, TEXAS, THREE (3) PROPOSED HOME-RULE CHARTER AMENDMENTS; PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.**

**WHEREAS**, Section 41.001 of the Texas Election Code, as amended (hereinafter referred to as the “Code”) establishes Saturday, May 7, 2022, as a “uniform election date” for the purposes of conducting an election; and

**WHEREAS**, the City Council of the City of Roanoke, Texas, has determined to submit to the qualified voters of said City of Roanoke, Texas, for their adoption or rejection thereof, proposed amendments to the existing Home-Rule Charter of the City of Roanoke, Texas, pursuant to the authority contained in Chapter 9 of the Texas Local Government Code.

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

### **Section 1. FINDINGS INCORPORATED**

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

### **Section 2. ELECTION ORDER; ELECTION DATE; PURPOSE OF ELECTION.**

That a special election of the City of Roanoke, Texas, shall be held on the 7<sup>th</sup> day of May, 2022, between the hours of seven o'clock a.m. (7:00 a.m.) and seven o'clock p.m. (7:00 p.m.) to consider three (3) ballot propositions to amend the City’s Home- Rule Charter.

### **Section 3. PROPOSED HOME-RULE CHARTER AMENDMENTS.**

That at the Election the following amendment to the City’s Home-Rule Charter shall be submitted to the resident, qualified voters of the City of Roanoke, Texas:

#### **PROPOSITION NO. 1**

Shall Section 3.04(1) of the City Home-Rule Charter be amended to read as follows:

#### **“SECTION 3.04 Mayor and Mayor Pro-Tem**

- (1) The Mayor shall attend and preside at meetings of the City Council. The Mayor shall participate in the discussion of all matters coming before the City Council and shall vote on matters before the City Council. The Mayor shall also represent the City in intergovernmental relationships, present an annual state of the City message, and perform other duties specified by the City Council and/or imposed by this Charter and by ordinances and resolutions passed in pursuance thereof. Additionally, the Mayor may sign, after authorization by the City Council, all contracts and conveyances made or entered into by the City and all bonds, warrants and any other obligation issued under the provisions of this Charter, in the manner prescribed in the ordinance or resolution

authorizing the signing of any such obligation. The Mayor shall be recognized as head of the City government for all ceremonial purposes, and by the Governor for purposes of military law, but shall have no regular administrative duties.”

## **PROPOSITION NO. 2**

Shall Section 3.05(4) of the City Home-Rule Charter be amended to read as follows:

- “(4) If there is a vacancy in the office of Mayor when less than twelve (12) months remains in the unexpired term, the remaining City Council members may appoint one of its members by majority vote of City Council to serve the remainder of said term. Otherwise, if there is a vacancy in the office of Mayor, a new Mayor shall be elected by special election within one hundred twenty (120) days after such vacancy occurs, in accordance with the Texas Constitution and the Texas Election Code, as amended.”

## **PROPOSITION NO. 3**

Shall Section 3.05(5) of the City Home-Rule Charter be amended to read as follows:

- “(5) A vacancy in the office of a Council Member when less than twelve (12) months remains in the unexpired term, the remaining City Council members may appoint an individual by majority vote of City Council to serve the remainder of said term. Otherwise, a vacancy in the office of a Council Member, shall be filled by special election within one hundred twenty (120) days after such vacancy occurs, in accordance with the Texas Constitution and the Texas Election Code, as amended. If the vacated office is that of Mayor Pro-Tem the City Council shall elect a new Mayor Pro-Tem at the next regular meeting.”

## **Section 4. VOTING SYSTEM, BALLOT PROPOSITION.**

Voting on the date of the election, and early voting therefore, shall be by the use of a lawfully approved voting system. The preparation of the voting equipment to be used in connection with such voting system and the official ballots for the election shall conform to the Texas Election Code, as amended, so as to permit the electors of the City of Roanoke, Texas, to vote “Yes” or “No” for the three (3) home-rule charter ballot propositions. Said ballots shall have printed therein such provisions, markings, and language as may be required by law and the Proposition shall be set forth on said ballots in substantially the following form and language:

### **SPECIAL ELECTION City of Roanoke, Texas May 7, 2022**

### **OFFICIAL BALLOT**

### **Charter Amendment Propositions**

That at the Election the following amendments to the City Home-Rule Charter shall be submitted to the resident, qualified voters of the City of Roanoke, Texas:

## **PROPOSITION NO. 1**

**YES** \_\_\_\_\_  
**NO** \_\_\_\_\_

Shall Section 3.04(1) of the City Home-Rule Charter, entitled "Mayor and Mayor Pro-Tem" be amended to authorize the Mayor to vote on all matters coming before the City Council?

**PROPOSITION NO. 2**

YES \_\_\_\_\_  
NO \_\_\_\_\_

Shall Section 3.05(4) of the City Home-Rule Charter, entitled "Vacancies, Forfeiture and Filling of Vacancies" be amended to provide that if there is a vacancy in the office of Mayor when less than twelve (12) months remains in the unexpired term, the remaining City Council members may appoint one of its members by majority vote of City Council to serve the remainder of said term?

**PROPOSITION NO. 3**

YES \_\_\_\_\_  
NO \_\_\_\_\_

Shall Section 3.05(5) of the City Home-Rule Charter, entitled "Vacancies, Forfeiture and Filling of Vacancies" be amended to provide that if there is a vacancy in the office of a Council Member when less than twelve (12) months remains in the unexpired term, the remaining City Council members may appoint an individual by majority vote of City Council to serve the remainder of said term?

**Section 5. ELECTION PRECINCTS; POLLING PLACE.**

That the City of Roanoke does hereby designate Election Day polling locations for the voters of the City of Roanoke. The Election Day polling place and election officials shall be as administered by the Denton County and Tarrant County Elections Administrators:

Polling Place

Denton County Elections  
701 Kimberly Drive, Suite A101  
Denton, Texas 76208

Tarrant County Elections  
2700 Premier Street  
Fort Worth, Texas 76111

Officials

Denton County Elections Administrator  
701 Kimberly Drive, Suite A101  
Denton, Texas 76208

\_\_\_\_\_ - Judge  
Tarrant County Elections Administrator  
2700 Premier Street  
Fort Worth, Texas 76111  
\_\_\_\_\_ - Judge

The Election Judge may appoint such other clerks as needed to serve and assist in the conduct of the election. The Election Judge and Alternate Judge for the special election shall also serve as the Presiding Judge and Alternate Judge of the Early Voting Ballot Board, and are hereby directed to perform the duties required by the Texas Election Code, as amended.

**Section 6. EARLY VOTING; EARLY VOTING POLLING PLACE.**

That early voting shall commence on Monday, April 25, 2022, and shall close on Tuesday, May 3, 2022. During the lawful early voting by personal appearance period (April 25, 2022, through May 3, 2022), the City Secretary shall keep such place for early voting open for early voting on the dates and times as depicted in **Exhibit A**, which is attached hereto and incorporated herein for all purposes.

**Section 7. ELECTION COMPLIANCE.**

This election shall be held in accordance with, and shall be governed by, the election laws of the State of Texas. In all City elections, the Mayor, City Secretary, or City Council shall perform each act as is required to be performed, in connection with the holding and consummation of such election, and to give effect to the intent of this Ordinance.

**Section 8. VOTING QUALIFICATION; VOTING MATERIALS.**

That all registered, qualified voters of the City shall be permitted to vote at the election. In addition, the election materials enumerated in the Texas Election Code, as amended, shall be printed in English and Spanish for use at the polling places and for early voting for the Election.

**Section 9. NOTICES.**

That the City Secretary is hereby ordered and directed to give notice of the election by:

- (a) Publishing the notice of the election at least once, not more than thirty (30) days nor less than ten (10) days before the election in the official newspaper of the City, or between **April 7, 2022**, and **April 27, 2022**;
- (b) Filing with the City Secretary, a copy of the notice of the election;
- (c) Posting a copy of the notice on the bulletin board used for posting notices of the meetings of the City Council at least twenty-one (21) days before the election, by **April 15, 2022**; and
- (d) Delivering notice of the election to the Denton County clerk not later than the 60th day before election day, or **March 8, 2022**.

The City Secretary shall file with the City Secretary a copy of the Publisher's Affidavit, which complies with the Texas Election Code, as amended, that the notice was published, with the name of the newspaper and the dates of publication.

**Section 10. SEVERABILITY CLAUSE.**

If any word, section, article, phrase, paragraph, sentence, clause, or portion of this Ordinance or application thereto to any person or circumstance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity which remaining portions shall remain in full force and effect.

**Section 11. EFFECTIVE DATE.**

This Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by law and the City Charter.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROANOKE,  
TEXAS, THIS \_\_\_\_\_ day of FEBRUARY, 2022.**

\_\_\_\_\_  
Carl E. Gierisch, Jr., Mayor

**ATTEST:**

\_\_\_\_\_  
April S. Hill, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Jeff Moore, City Attorney

***Exhibit A***

Early Voting Times, Dates, and Locations



## AGENDA ITEM

TO: Mayor and City Council

SUBJECT: Special Election

MEETING DATE: February 15, 2022

DEPARTMENT: City Manager

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### ITEM SUMMARY:

Consideration and action on Ordinance No. 2022-107 ordering a Special Election to be held on the 7th day of May, 2022, for the purpose of submitting to the qualified voters of the City of Roanoke, Texas, a ballot proposition to repeal and terminate the Type B Economic Development Sales Tax, at the rate of one-half of one percent, authorized by Chapter 505 of the Texas Local Government Code contingent upon the eligible voters of the City of Roanoke Crime Control and Prevention District which comprises the City of Roanoke, Texas, approving a ballot proposition to adopt a Sales and Use Tax for the proposed district at the rate of one-half of one percent dedicated to Crime Control and Prevention Programs.

### INFORMATION:

The attached Ordinance calls for an election in May of 2022 to dissolve the Type B Board as previously discussed. However, based on conversations with the Texas Comptroller's Office, staff is recommending a slight change to how the measure would be presented on the ballot as follows:

Rather than have one ballot measure to dissolve one 1/2 sales tax use (Type B), and create another (CCPD), the Comptroller has recommended there be two separate ballot measures that are contingent upon each other. Basically, one ballot measure (called by the CCPD Board) to create a CCPD, contingent upon the successful ballot measure to dissolve the Type B Corporation. The other ballot measure (called by the City Council) would be to dissolve the Type B Corporation, contingent upon a successful ballot measure to create a CCPD. This altered recommendation is based on language in the Texas Tax Code and conversations with the Texas Comptroller that City staff will address in greater detail Tuesday night.

### STAFF RECOMMENDATION:

Approve ORD NO 2022-107 for special election as presented



## **AGENDA ITEM**

### **SPECIAL CONSIDERATION:**

NA

### **FINANCIAL CONSIDERATION:**

NA

### **ATTACHMENTS:**

1. ORD NO 2022-107 - Repeal Type B Sales Tax - Contingent Upon Crime Control

## **ORDINANCE NO. 2022-107**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROANOKE, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON THE 7<sup>TH</sup> DAY OF MAY, 2022, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF ROANOKE, TEXAS, A BALLOT PROPOSITION TO REPEAL AND TERMINATE THE TYPE B ECONOMIC DEVELOPMENT SALES TAX, AT THE RATE OF ONE-HALF OF ONE PERCENT, AUTHORIZED BY CHAPTER 505 OF THE TEXAS LOCAL GOVERNMENT CODE CONTINGENT UPON THE ELIGIBLE VOTERS OF THE CITY OF ROANOKE CRIME CONTROL AND PREVENTION DISTRICT WHICH COMPRISES THE CITY OF ROANOKE, TEXAS, APPROVING A BALLOT PROPOSITION TO ADOPT A SALES AND USE TAX FOR THE PROPOSED DISTRICT AT THE RATE OF ONE-HALF OF ONE PERCENT DEDICATED TO CRIME CONTROL AND PREVENTION PROGRAMS; DESIGNATING THE PLACES AND MANNER OF HOLDING SAID ELECTION; PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** Section 41.001 of the Texas Election Code, as amended (hereinafter referred to as the "Code") establishes May 7, 2022, as a "uniform election date" for the purposes of conducting a special election; and

**WHEREAS,** the City of Roanoke, Texas, currently imposes a local sales and use tax at a combined rate of 8.25 percent; and

**WHEREAS,** City Council of the City of Roanoke, Texas, desires to submit to the eligible voters of the City of Roanoke, Texas, a ballot proposition, to ascertain whether the Type B economic development sales tax, at the rate of one-half of one percent, authorized by Chapter 505 of the Texas Local Government Code, should be terminated contingent upon the eligible voters of the City of Roanoke Crime Control and Prevention District which comprises the City of Roanoke, Texas, approving a ballot proposition to adopt a sales and use tax for the proposed district at the rate of one-half of one percent dedicated to crime control and prevention programs.

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

### **Section 1. FINDINGS INCORPORATED**

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

### **Section 2. ELECTION ORDER; ELECTION DATE.**

That a Special Election in the City of Roanoke, Texas, as prescribed by chapters 501 to 505 of the Texas Local Government, and chapter 321 of the Texas Tax Code, shall be held between the hours of seven o'clock a.m. (7:00 a.m.) and seven o'clock p.m. (7:00 p.m.) on the 7<sup>th</sup> day of May, 2022.

### **Section 3. PURPOSE OF ELECTION.**

The purpose of the Special Election in the City of Roanoke, Texas, is to consider a ballot proposition to repeal and terminate the Type B economic development sales tax, at the rate of one-half of one percent, authorized by Chapter 505 of the Texas Local Government Code, contingent upon the eligible voters of the proposed City of Roanoke Crime Control and Prevention District, which comprises the City of Roanoke, Texas, adopting a Crime Control and Prevention sales and use tax, at the rate of one-half of one percent dedicated to crime reduction programs.

**Section 4. VOTING SYSTEM, BALLOT PROPOSITION.**

Voting on the date of the election, and early voting therefore, shall be by the use of a lawfully approved voting system. The preparation of the voting equipment to be used in connection with such voting system and the official ballots for the election shall conform to the Texas Election Code, as amended, so as to permit the electors of the City of Roanoke, Texas, to vote "For" or "Against" the Proposition. Said ballots shall have printed therein such provisions, markings, and language as may be required by law, and the Proposition shall be set forth on said ballots in substantially the following form and language:

**SPECIAL ELECTION  
City of Roanoke, Texas  
May 7, 2022**

**OFFICIAL BALLOT**

**PROPOSITION NO. 1**

**FOR** \_\_\_\_\_  
**AGAINST** \_\_\_\_\_

**"The termination of the Roanoke Community and Economic Development Corporation, a Type B economic development corporation and local sales and use tax at a rate of one-half of one percent, contingent upon the eligible voters of the proposed City of Roanoke Crime Control and Prevention District, which comprises the City of Roanoke, Texas, approving a ballot proposition authorizing the creation of the City of Roanoke Crime Control and Prevention District dedicated to crime reduction programs and the adoption of a proposed local sales and use tax at a rate of one-half of one percent."**

**Section 5. ELECTION PRECINCTS; POLLING PLACE.**

That the City of Roanoke, Texas, does hereby designate Election Day polling locations for the voters of the City of Roanoke, Texas. The Election Day polling place and election officials shall be as administered by the Denton County and Tarrant County Elections Administrators:

**Polling Place**

Denton County Elections  
701 Kimberly Drive, Suite A101  
Denton, Texas 76208

**Officials**

Denton County Elections Administrator  
701 Kimberly Drive, Suite A101  
Denton, Texas 76208

\_\_\_\_\_ - Judge

Tarrant County Elections  
2700 Premier Street  
Fort Worth, Texas 76111

Tarrant County Elections Administrator  
2700 Premier Street  
Fort Worth, Texas 76111

\_\_\_\_\_ - Judge

The Election Judge may appoint such other clerks as needed to serve and assist in the conduct of the election. The Election Judge and Alternate Judge for the special election shall also serve as the Presiding Judge and Alternate Judge of the Early Voting Ballot Board, and are hereby directed to perform the duties required by the Texas Election Code, as amended.

**Section 6. EARLY VOTING; EARLY VOTING POLLING PLACE.**

That early voting shall commence on Monday, April 25, 2022, and shall close on Tuesday, May 3, 2022. During the lawful early voting by personal appearance period (April 25, 2022, through May 3, 2022), the City Secretary of the City of Roanoke, Texas, shall keep such place for early voting open for early voting on the dates and times as depicted in **Exhibit A**, which is attached hereto and incorporated herein for all purposes.

**Section 7. ELECTION COMPLIANCE.**

This election shall be held in accordance with, and shall be governed by, the election laws of the State of Texas.

**Section 8. VOTING QUALIFICATION; VOTING MATERIALS.**

That all registered, qualified voters of the City of Roanoke, Texas, shall be permitted to vote at the election. In addition, the election materials enumerated in the Texas Election Code, as amended, shall be printed in English and Spanish for use at the polling places and for early voting for the Election.

**Section 9. NOTICES.**

That the City Secretary is hereby ordered and directed to give notice of the election by:

- (a) Publishing the notice of the election at least once, not more than thirty (30) days nor less than ten (10) days before the election in the official newspaper of the City, or between **April 7, 2022** and **April 27, 2022**;
- (b) Filing with the City Secretary, a copy of the notice of the election;
- (c) Posting a copy of the notice on the bulletin board used for posting notices of the meetings of the City Council at least twenty-one (21) days before the election, by **April 16, 2022**; and
- (d) Delivering notice of the election to the Denton and Tarrant County clerks not later than the 60th day before election day, or **March 6, 2022**.

The City Secretary shall file with the City Secretary a copy of the Publisher's Affidavit, which complies with the Texas Election Code, as amended, that the notice was published, with the name of the newspaper and the dates of publication.

**Section 10. SEVERABILITY CLAUSE.**

If any word, section, article, phrase, paragraph, sentence, clause, or portion of this Ordinance or application thereto to any person or circumstance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity which remaining portions shall remain in full force and effect.

**Section 11. EFFECTIVE DATE.**

This Ordinance shall take effect immediately upon its adoption.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Roanoke, Texas on this the **15<sup>th</sup>** day of **February, 2022**.

**APPROVED:**

\_\_\_\_\_  
Carl E. Gierisch, Jr., Mayor

**ATTEST:**

\_\_\_\_\_  
April S. Hill, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Jeff Moore, City Attorney

***Exhibit A***

Early Voting Polling Places