



**MINUTES  
CITY COUNCIL REGULAR MEETING  
COUNCIL CHAMBERS  
MARCH 16, 2023  
6:30 PM**

**PRESENT**

Mayor Scott Kimble  
Councilmember Johnny Waldrip  
Councilmember Robert Fleming  
Councilmember Angela Nichols  
Councilmember Merle Breitenstein  
Councilmember Shelly Anderson

**STAFF**

City Manager Mike Peacock  
City Secretary Alice Holloway  
City Attorney Terry Welch  
Asst. City Manager Amber Bransom

**ABSENT**

Councilmember Mike Kidd

The Joshua City Council will hold a Work Session at 6:30 pm. A Regular Meeting will be held immediately following the Work Session in the Council Chambers at the Joshua City Hall, located at 101 S. Main St., Joshua, Texas, on March 16, 2023. This meeting is subject to the open meeting laws of the State of Texas.

Individuals may attend the meeting in person or access the meeting via videoconference or telephone conference call.

**Join Zoom Meeting:**

<https://us02web.zoom.us/j/85914543325?pwd=SZLLeVJ0cU8vdIJNTRtdWV3R3NVUT09>

Meeting ID: 85914543325 Passcode: 112458 or dial 346-248-7799

**A member of the public who would like to submit a question on any item listed on this agenda may do so via the following options:**

**Online:** An online speaker card is located on the City's website ([cityofjoshuatx.us](http://cityofjoshuatx.us)) on the Agenda/Minutes/Recordings page. Speaker cards received by 5:00 pm on or before the day of the meeting will be read during the open session by the City Secretary.

**By phone:** Please call 817/558-7447 ext. 2003 by 5:00 pm on or before the day of the meeting and provide your name, address, and question. The City Secretary will read all questions in the order they are received.

**A. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT**

Mayor Kimble announced a quorum and called the meeting to order at 6:30 pm.

**B. PLEDGE OF ALLEGIANCE**

1. Texas Flag

2. United States of America

Pledge to flags was led by Councilmember Fleming.

### **C. INVOCATION**

Chris Copeland, pastor of True-Life Church gave the invocation.

### **D. WORK SESSION**

1. Review and discuss questions related to the budget report and financial statement for February 2023. (Staff Resource: M. Peacock)

City Manager Peacock presented the financial report. Mr. Peacock stated that the City is eleven percent over projections for sales tax, and is currently over in property tax. In addition, he stated that there were no major expenditure.

2. Discussion on possible amendments to the Joshua City Personnel Policy. (Staff Resource: B. Grounds)

Brittney Grounds, we are recommending changes to the following polices:

4.3 Inclement Weather and Emergency Closings: Changes provide a benefit to emergency services personnel (public works, parks, and animal services) who work during emergency or inclement weather events.

4.9 Longevity Pay & Service Recognition: Changes establish a minimum dollar amount for longevity pay. Changes also removed the 12-month service eligibility requirement as well as the 20-year (240-month) maximum and provided additional guidance regarding milestone awards.

5.1 Holiday Leave: Changes provide a specific number of hours associated with holiday leave. Changes also create a holiday leave bank for shift fire and police personnel.

5.2 Vacation Leave: Changes clarify exempt employees vacation accruals and increase the annual allowed amount for vacation sell back for all employees.

3. Discussion and update on the trash billing transition to Waste Connections. (Staff Resource: A. Bransom)

Asst. City Manager Bransom gave an update regarding trash billing transition. She stated a second billing cycle was accidentally sent out electronically. Councilmember Anderson asked if auto drafts were active. Bransom answered no. In addition, she stated that there are several old accounts that she would like the City to write off. The council gave staff direction to move forward with the process of writing off old accounts.

4. Discuss and receive updates on IT Infrastructure including broadband Connectivity. (Staff Resource: M. Peacock)

Councilmember Nichols arrived at 6:50 pm.

Jeff Ramey, TodoVerde, gave an update regarding broadband connectivity. He gave a design and stated that the estimated cost is currently around 890,000.

### **E. UPDATES FROM MAYOR AND COUNCIL MEMBERS, UPDATES FROM CITY STAFF MEMBERS:**

*Pursuant to Texas Government Code Section 551.0415, the Mayor and Members of the City Council may report on the following items of community interest, including (1) expressions of thanks, congratulations, or condolences; (2) information about holiday schedules, (3) recognition of individuals; (4) reminders about upcoming City Council events; (5) information about community events; and (6) announcements involving any imminent threat to public health and safety. Staff Updates will address operational issues in various City departments. No deliberation is authorized under the Texas Open Meetings Act.*

Mayor Kimble asked everyone to mark their calendar for the Joshua United Event to be held on April 22 from 11:00am to 3:00 pm.

Asst, City Manager Bransom stated that the Project Hero is scheduled for the morning of April 22.

**F. PUBLIC FORUM, PRESENTATION, AND RECOGNITION:**

*The City Council invites citizens to speak on any topic. However, unless the item is specifically noted on this agenda, the City Council is required under the Texas Open Meetings Act to limit its response to responding with a statement of specific factual information, reciting the City's existing policy, or directing the person making the inquiry to visit with City Staff about the issue. Therefore, no Council deliberation is permitted. Each person will have 3 minutes to speak.*

NA

**G. CONSENT AGENDA**

1. Discuss, consider, and possible action on meeting minutes of February 16, 2023 and March 7, 2023.
2. Discuss, consider, and possible action on acceptance of an application for Veteran’s Memorial applicant, Lt. Col. William R. Horton.
3. Discuss, consider, and possible action on a resolution to designate authorized signatories for the Texas Community Development Block Grant program.
4. Discuss, consider, and possible action on a resolution authorizing the submission of a Texas Community Development Block Grant program application and adopting required CDBG Civil Rights policies.
5. Discuss, consider, and possible action on the resolution approving the submission of the grant application for the SRT/SWAT Team Gear Funding Grant Program. (Staff Resource: D. Gelsthorpe)

Motion made by Place 1 Waldrip to approve the Consent Agenda. Seconded by Place 3 Nichols.  
Voting Yea: Mayor Kimble, Place 1 Waldrip, Place 3 Nichols, Place 4 Breitenstein, Place 5 Fleming, Place 6 Anderson.

**H. REGULAR AGENDA**

1. Discuss, consider, and possible action on accepting the FY22 Annual Audit/Financial Report. (Staff Resource: M. Peacock)

Snow Garrett Williams, Reba Long, Senior Manager, presented the audit.

Motion made by Place 5 Fleming to accept the FY22 Annual Audit, Seconded by Place 4 Breitenstein.  
Voting Yea: Mayor Kimble, Place 1 Waldrip, Place 3 Nichols, Place 4 Breitenstein, Place 5 Fleming, Place 6 Anderson

2. Public hearing on a request to consider an Ordinance amending the Tree Preservation preferred tree list contained in Chapter 14, Article 8, of the Zoning Ordinance. (Staff Resource: A. Maldonado)

Mayor Kimble opened the public hearing at 7:07pm.

No comments made by the public. Mayor Kimble closed the public hearing at 7:07 pm.

3. Discuss, consider, and possible action on an Ordinance amending the Tree Preservation preferred tree list contained in Chapter 14, Article 8 of the Zoning Ordinance. (Staff Resource: A. Maldonado)

Motion made by Place 4 Breitenstein to approve the Ordinance amending the Tree Preservation. Seconded by Place 3 Nichols.

Voting Yea: Mayor Kimble, Place 1 Waldrip, Place 3 Nichols, Place 4 Breitenstein, Place 5 Fleming, Place 6 Anderson

4. Discuss, consider, and possible action on an Ordinance declaring unopposed candidates for Council Member Place 2 and Council Member Place 5 Elected to Office and cancelling the May 6, 2023 General Election. (Staff Resource: A. Holloway)

City Secretary Holloway stated that both positions are unopposed and asked the City Council to accept the Certification of Unopposed Candidates prepared by her office.

Motion made by Place 3 Nichols, Seconded by Place 1 Waldrip.

Voting Yea: Mayor Kimble, Place 1 Waldrip, Place 3 Nichols, Place 4 Breitenstein, Place 5 Fleming, Place 6 Anderson

5. Discuss, consider, and possible action on amendments to the Joshua Personnel Policy. (Staff Resource: B. Grounds)

Britney Grounds, Human Resource Manager, stated changes are recommended to the following policies:

4.3 Inclement Weather and Emergency Closings: Changes provide a benefit to emergency services personnel (public works, parks, and animal services) who work during emergency or inclement weather events.

4.9 Longevity Pay & Service Recognition: Changes establish a minimum dollar amount for longevity pay. Changes also remove the 12-month service eligibility requirement as well as the 20-year (240-month) maximum and provided additional guidance regarding milestone awards.

5.1 Holiday Leave: Changes provide a specific number of hours associated with holiday leave. Changes also create a holiday leave bank for shift fire and police personnel.

5.2 Vacation Leave: Changes clarify exempt employees vacation accruals and increase the annual allowed amount for vacation sell back for all employees.

Motion made by Place 6 Anderson to approve the recommended changes. Seconded by Place 4 Breitenstein.

Voting Yea: Mayor Kimble, Place 1 Waldrip, Place 3 Nichols, Place 4 Breitenstein, Place 5 Fleming, Place 6 Anderson

6. Discuss, consider, and possible action on approving development agreements signed by property owners and authorizing the City Manager to sign all necessary documents. (Staff Resource: A. Holloway)

City Secretary Holloway presented eight development agreements. She stated that the agreements is replacing the 2018 agreements that will soon expire.

Motion made by Place 1 Waldrip to approve the agreements, Seconded by Place 6 Anderson.

Voting Yea: Mayor Kimble, Place 1 Waldrip, Place 3 Nichols, Place 4 Breitenstein, Place 5 Fleming,

Place 6 Anderson

7. Discuss, consider, and possible action on board appointment(s). (Staff Resource: A. Holloway)

Motion made by Place 4 Breitenstein for the following appointments to the Planning & Zoning Commission:

Place 1- Jason Allred Sr.

Alt. 1- Kathy Sales

Alt 2- Elizabeth Webb

Seconded by Place 1 Waldrip.

Voting Yea: Mayor Kimble, Place 1 Waldrip, Place 3 Nichols, Place 4 Breitenstein, Place 5 Fleming, Place 6 Anderson

## **I. STAFF REPORT**

1. Police Department
2. Fire Department
3. Municipal Court
4. Public Works
5. Parks Department
6. Development Services
7. Animal Services
8. City Secretary's Office

## **J. EXECUTIVE SESSION**

The City Council of the City of Joshua will recess into Executive Session (Closed Meeting) pursuant to the provisions of chapter 551, Subchapter D, Texas Government Code, to discuss the following:

1. In accordance with the Texas Government Code, Section 551.071, to consult with the City Attorney relating to pending litigation, to wit: ZL & SYK, LLC and Mountain Valley Country Club, Inc. vs. City of Joshua, Civil Action No. 3:22-cv-00182-E.
2. In accordance with the Texas Government Code, Section 551.074, to deliberate regarding the appointment, employment, and evaluation of a public officer or employee.
3. In accordance with the Texas Government Code, Section 551.076, to deliberate regarding security audits.

Mayor Kimble closed the Regular Meeting at 7:25 pm to go into Executive Session.

## **K. RECONVENE INTO REGULAR SESSION**

In accordance with Texas Government Code, Section 551, the City Council will reconvene into regular session and consider action, if any, on matters discussed in executive session.

Councilmember Fleming left at 7:55 pm.

Mayor Kimble opened the Regular Meeting at 8:11 pm.

No action taken as a result of Executive Session.

**L. FUTURE AGENDA ITEMS/REQUESTS BY COUNCIL MEMBERS TO BE ON THE NEXT AGENDA**

*Councilmembers shall not comment upon, deliberate, or discuss any item that is not on the agenda. Councilmembers shall not make routine inquiries about operations or project status on an item that is not posted. However, any Councilmember may state an issue and request to place the item on a future agenda.*

**M. ADJOURNMENT**

Mayor Kimble adjourned the meeting at 8:12 pm.

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Scott Kimble, Mayor

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Alice Holloway  
City Secretary

Approved: April 20, 2023