



**MINUTES
CITY COUNCIL REGULAR MEETING
COUNCIL CHAMBERS
SEPTEMBER 15, 2022
6:30 PM**

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 September 15, 2022. 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.

PRESENT

Mayor Scott Kimble
Councilmember Johnny Waldrip
Councilmember Angela Nichols
Councilmember Mike Kidd
Councilmember Merle Breitenstein
Councilmember Shelly Anderson

STAFF

City Manager Mike Peacock
City Secretary Alice Holloway
Asst. City Manager Amber Bransom
City Attorney Terry Welch
Dev. Services Director Aaron Maldonado

ABSENT

Councilmember Robert Fleming

Join Zoom Meeting:

<https://us02web.zoom.us/j/82042574134?pwd=aDVYWElweUJsL2RoVC96Q05NdEY4UT09>

Meeting ID: 820 4257 4134 Passcode: 531382 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) 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 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. United States of America
2. Texas Flag

Councilmember Anderson led the Pledge of Allegiance.

C. INVOCATION

Invocation was given by Councilmember Kidd.

D. WORK SESSION

1. Review and discuss questions related to the budget report and financial statement for August 2022. (Staff Resource: M. Peacock)

City Manager Peacock presented the budget report and financial statement for August 2022. Mr. Peacock stated that most departments are in line with the budget.

2. Discussion on requiring each city board, corporation, and commission president be a Joshua Elected Official.

Mayor Kimble stated that he is not moving forward with requiring councilmembers to serve as president on city boards. City Attorney Welch stated that he will prepare an ordinance for council to consider amending the Heritage Preservation Committee.

3. Discussion on the Tree Preservation Ordinance.

Councilmember Nichols stated that she had concerns regarding our Tree Preservation Ordinance. After a discussion on the Tree Preservation Ordinance, staff was directed to evaluate the City's Tree Ordinance and bring back a report showing the comparison with other cities.

4. Discussion on providing broadband connectivity to unserved and underserved areas within the City of Joshua.

After brief discussion, staff was directed to move forward with research. City Manager Peacock stated that he will start providing a monthly report on the topic.

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.

NA

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.

Mayor Kimble read out loud and presented a Proclamation proclaiming September 17-23, 2022 as Constitution Week to the Nathaniel Winston Chapter, NSDAR.

G. CONSENT AGENDA

1. Discuss, consider, and possible action on meeting minutes of August 18, 2022. (Staff Resource: A. Holloway)

Motion made by Councilmember Anderson to approve the meeting minutes of August 18, 2022.

Seconded by Councilmember Nichols.

Voting Yea: Mayor Kimble, Councilmember Waldrup, Councilmember Kidd, Councilmember Nichols, Councilmember Breitenstein, Councilmember Anderson

2. Discuss, consider, and possible action on Interlocal Cooperation Agreements with Johnson County for the housing of City of Joshua Class "C" Misdemeanor Offenses in the Johnson County Jail. (Staff Resource: M. Peacock)

Motion made by Councilmember Kidd to approve the agreement with Johnson County for the housing of Class "C" Misdemeanor Offenses. Seconded by Councilmember Waldrup.

Voting Yea: Mayor Kimble, Councilmember Waldrup, Councilmember Kidd, Councilmember Nichols, Councilmember Breitenstein, Councilmember Anderson

3. Discuss, consider, and possible action on the amendments to the Johnson County Communications System Agreement. (Staff Resource: M. Peacock)

Motion made by Councilmember Breitenstein to approve the amendments to the Johnson County Communications System Agreement. Seconded by Councilmember Kidd.

Voting Yea: Mayor Kimble, Councilmember Waldrup, Councilmember Kidd, Councilmember Nichols, Councilmember Breitenstein, Councilmember Anderson

H. REGULAR AGENDA

1. Discuss, consider, and possible action on an Ordinance by the City Council of the City of Joshua, Texas authorizing the issuance of "City of Joshua, Texas Tax Notes, Series 2022A"; levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the Obligations; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the Obligations; authorizing the execution of a Paying Agent/Registrar Agreement and a Purchase and Investment Letter; complying with the Letter of Representations previously executed with the Depository Trust Company; authorizing the execution of any necessary engagement agreement with the City's financial advisors and/or bond counsel; and providing an effective date. (Staff Resource: M. Peacock)

Motion made by Councilmember Breitenstein to approve an Ordinance authorizing the issuance of Tax Notes, Series 2022A . Seconded by Councilmember Anderson.

Voting Yea: Mayor Kimble, Councilmember Waldrup, Councilmember Kidd, Councilmember Nichols, Councilmember Breitenstein, Councilmember Anderson

2. Public Hearing on the proposed budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023.

Mayor Kimble opened the public hearing on the proposed budget for the Fiscal Year beginning October 1, 2022, and end September 30, 2023 at 7:32 pm.

Mayor Kimble closed the public hearing at 7:37 pm.

3. Public hearing on a proposal to adopt the Ad Valorem Property Tax Rate of \$.0711493 for Tax Year 2022.

Mayor Kimble opened the public hearing on a proposal to adopt the AD Valorem Property Tax Rate of \$.0711493 for Tax Year 2022 at 7:38 pm. No comments from the public.

Mayor Kimble closed the public hearing at 7:39 pm.

4. Discuss, consider, and possible action on an Ordinance approving the annual Budget for fiscal year beginning October 1, 2022 and ending September 30, 2023. (Staff Resource: M. Peacock)

Motion made by Councilmember Breitenstein to approve an Ordinance approving the annual Budget for fiscal year beginning October 1, 2022 and ending September 30, 2023. Seconded by Councilmember Anderson.

Voting Yea: Mayor Kimble, Councilmember Waldrup, Councilmember Kidd, Councilmember Nichols, Councilmember Breitenstein, Councilmember Anderson - Record Vote.

5. Discuss, consider, and possible action on an Ordinance adopting the City of Joshua 2022 Property Tax Rate. (Staff Resource: M. Peacock)

Motion made by Councilmember Kidd to approve an Ordinance adopting the Property Tax Rate of \$0.711493. Seconded by Councilmember Nichols.

Voting Yea: Mayor Kimble, Councilmember Waldrup, Councilmember Kidd, Councilmember Nichols, Councilmember Breitenstein, Councilmember Anderson- Record Vote.

6. Public hearing on a request for annexation of 0.935 acres of land situated in the Thomas W. Baird Survey, Abstract 40, County of Johnson, Texas, located at 220 Ranch Road, to allow for the construction of a residential home.

- Staff Presentation
- Owner's Presentation
- Those in Favor
- Those Against
- Owner's Rebuttal

Mayor Kimble opened the public hearing on a request for annexation of 0.935 acres of land situated in the Thomas W. Baird Survey, Abstract 40, at 7:43 pm. No comments made from the public.

Mayor Kimble closed the public hearing at 7:43 pm.

7. Discuss, consider, and possible action on approving an Ordinance annexing 0.935 acres of land situated in the Thomas W. Baird Survey, Abstract 40, County of Johnson, Texas, located at 220 Ranch Road, to allow for the construction of a residential home. (Staff Resource: A. Maldonado)

Motion made by Councilmember Kidd to approve Ordinance annexing 0.935 acres of land situated in the Thomas W. Baird Survey, Abstract 40. Seconded by Councilmember Breitenstein.

Voting Yea: Mayor Kimble, Councilmember Waldrup, Councilmember Kidd, Councilmember Nichols, Councilmember Breitenstein, Councilmember Anderson

8. Discuss, consider, and possible action on a Development Agreement between the City of Joshua and Joshua Development Company, Ltd., relative to the residential subdivision development of Joshua Meadows Addition Phase 3C; and authorize the City Manager to sign the agreement. (Staff Resource: A. Maldonado)

Motion made by Councilmember Breitenstein to approve the Development Agreement between the City of Joshua and Joshua Development Company, Ltd. Seconded by Councilmember Anderson.

Voting Yea: Mayor Kimble, Councilmember Waldrup, Councilmember Kidd, Councilmember Nichols, Councilmember Breitenstein, Councilmember Anderson

9. Discuss, consider, and possible action on the resolution approving the submission of the grant application for the Bullet-Resistant Shields for Active Shooter Responses. (Staff Resource: D. Gelsthorpe)

Motion made by Councilmember Anderson, Seconded by Councilmember Nichols.

Voting Yea: Mayor Kimble, Councilmember Waldrip, Councilmember Kidd, Councilmember Nichols, Councilmember Breitenstein, Councilmember Anderson

10. Discuss, consider, and possible action on the renewal of the Johnson County ESD Contract for Fire and Emergency Services. (Staff Resource: T. Griffith)

Motion made by Councilmember Kidd. Seconded by Councilmember by Place 1 Waldrip. Motion passed unanimously.

Voting Yea: Mayor Kimble, Councilmember Waldrip, Councilmember Kidd, Councilmember Nichols, Councilmember Breitenstein, Councilmember Anderson

11. Discuss, consider, and possible action on a resolution casting votes for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election. (Staff Resource: M. Peacock)

Motion made by Councilmember Anderson to delegate City Manager to cast votes for the TMMLIRP. Seconded by Councilmember Breitenstein.

Voting Yea: Mayor Kimble, Councilmember Waldrip, Councilmember Kidd, Councilmember Nichols, Councilmember Breitenstein, Councilmember Anderson

12. Discuss, consider, and possible action on a resolution creating a Charter Review Commission to consider amendments to the City Charter. (Staff Report: T. Welch and A. Holloway)

Motion made by Councilmember Anderson to approve a resolution creating a Charter Review Commission and appoint the following members:

- Sharlotta Connally
- Glen Walden
- Robert Purdom
- Billy Jenkins
- Joe Hollarn
- Julian Torrez
- Shelly Anderson
- Johnny Waldrip

Seconded by Place 2 Kidd.

Voting Yea: Mayor Kimble, Councilmember Waldrip, Councilmember Kidd, Councilmember Nichols, Councilmember Breitenstein, Councilmember Anderson

13. Discuss, consider, and possible action on the Johnson County Threat Protocol as signed by all Johnson County Law Enforcement Agencies. (Staff Resource: D. Gelsthorpe)

Motion made by Councilmember Nichols to approve the Johnson County Threat Protocol. Seconded by Councilmember Waldrip.

Voting Yea: Mayor Kimble, Councilmember Waldrip, Councilmember Kidd, Councilmember Nichols, Councilmember Breitenstein, Councilmember Anderson

14. Discuss, consider, and possible action on Board Appointments.

Motion made by Councilmember Nichols to appoint the following:

- Planning & Zoning

- Seat 1. Johnny Waldrip
- Seat 2. Julian Torrez
- Seat 6. Robert Purdom
- Seat 7. Billy Jenkins

Seconded by Councilmember Breitenstein. Motion passed unanimously.

Councilmember Anderson moved to appoint the following:

- Planning & Zoning
- Alt 1. Jason Allred Sr.
- Alt 2. Ryan Mahar

Seconded by Councilmember Breitenstein. Motion passed unanimously.

Motion made by Councilmember Anderson to appoint the following:

- Zoning Board of Adjustment
- Seat 2. Jennifer Hancock
- Seat 4. Kevin Meredith

Seconded by Councilmember Breitenstein. Motion passed unanimously.

Motion made by Councilmember Breitenstein to appoint the following:

- Type A EDC
- Seat 1. Joe Hollarn
- Seat 2. Shelly Anderson
- Seat 4. Linda Childers
- Seat 6. Joshua Burns

Seconded by Councilmember Kidd. Motion passed unanimously.

Motion made by Councilmember Breitenstein to appoint the following:

- Type B EDC
- Seat 2. Merle Breitenstein
- Seat 4. Dustin Dees
- Seat 6. David Footitt Sr.

Seconded by Councilmember Anderson. Motion passed unanimously.

Motion made by Councilmember Anderson to appoint the following:

- Heritage Preservation committee
- Seat 1. Angela Nichols
- Seat 2. Robbie Rumfield

Seconded by Councilmember Kidd. Motion passed unanimously.

Motion made by Councilmember Anderson to appoint the following:

- Animal Control Advisory Board
- Seat 1. Dr. Suzy Steward

- Seat 2. Mike Kidd
- Seat 3. Sandra Runnels
- Seat 4. Kit Hall
- Seat 5. Staff- Carla Hall

Seconded by Councilmember Breitenstein. Motion passed unanimously.

Motion made by Councilmember Anderson to appoint the following:

- Tax Increment Finance
- Seat 1. Scott Kimble
- Seat 2. Mike Kidd
- Seat 3. Merle Breitenstein

Seconded by Councilmember Nichols. Motion passed unanimously.

Motion made by Councilmember Kidd to appoint the following:

- Library Board
- Seat 2. Nicholas Larson

Seconded by Councilmember Anderson. Motion passed unanimously.

Motion made by Councilmember Kidd to remove Nicholas Larson from the Type B EDC and appoint Kim Carter. Seconded by Councilmember Breitenstein. Motion passed unanimously.

15. Discuss, consider, and possible action on authorizing requests for proposals for administrative services (RFP) and requests for qualifications (RFQ) for the 2023-24 Texas Community Development Block Grant Program administered by the Texas Department of Agriculture. (Staff Report: A. Holloway)

Motion made by Councilmember Nichols to authorize requests for proposals for administrative services and requests for qualifications for the 2023-24 Texas Community Development Block Grant Program. Seconded by Councilmember Breitenstein.

Voting Yea: Mayor Kimble, Councilmember Waldrup, Councilmember Kidd, Councilmember Nichols, Councilmember Breitenstein, Councilmember Anderson

I. STAFF REPORT-AUGUST 2022

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

J. EXECUTIVE SESSION

1. 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. Pursuant to Section 551.071, consultation with the City Attorney regarding legal issues associated with provision of utility services, and all matters incident and related thereto.

Mayor Kimble announced that there will be no Executive Session.

K. RECONVENE INTO REGULAR SESSION

1. 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 the executive session.

NA

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 8:36 pm.

Scott Kimble, Mayor

Alice Holloway, TRMC, MMC
City Secretary

Approved: October 20, 2022