



**MINUTES
CITY COUNCIL REGULAR MEETING
COUNCIL CHAMBERS
AUGUST 18, 2022
6:30 PM**

The Joshua City Council held a Budget Workshop at 6:30 pm. A Work Session and Regular Meeting was held immediately following the Budget Workshop in the Council Chambers at the Joshua City Hall, located at 101 S. Main St., Joshua, Texas, on August 18, 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 Robert Fleming
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 Mike Kidd
Councilmember Merle Breitenstein

Join Zoom Meeting:

<https://us02web.zoom.us/j/83387780089?pwd=VW5GNzFCNmkyMXlQdHI3R0d4Q2MxQT09>
Meeting ID: 833 8778 0089 Passcode: 318845 or dial 3462487799

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 Waldrip led the Pledge of Allegiance.

C. INVOCATION

Invocation was given by Pastor Lisa Schwarz.

The Public form, Presentation, and recognition was held prior to the budget workshop. See discussion/action below for this item.

D. BUDGET WORKSHOP

1. Discussion on the FY 2022-2023 Proposed Budget. (Staff Resource: M. Peacock)

City Manager Peacock stated that the budget is proposed on two different tax rates. In addition, he stated that the two options were given for different reasons. One is considering increasing the homestead exemption next year.

City Manager Peacock stated that there is \$186,318 surplus to be used at the council discretion. In addition, he stated that this budget includes healthcare, cost of living, and four additional firefighters that ESD is making available.

City Manager Peacock stated that the proposed budget includes an increase of revenue from the ESD. In addition, he stated that .7171493 is the current rate and that is what the purposed budget includes as the 2022 Tax Rate and if council don't approve the option that will be presented later in the meeting, the tax rate will be .6811.

Mayor Kimble asked if the ESD does not approve the new positions, will they be pulled. City Manager Peacock stated yes.

Mayor Kimble asked Public Works Director Kristin Hubacek if there is enough money in the budget to make repairs on streets. City Manager Mike Peacock stated that TxDot is reviewing some options on 14th Street. They will be making a recommendation. He stated that might be the area we may need an increased. Public Works Director Hubacek stated 6 months ago, it was going to cost around \$70,000.

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 announced that at the next meeting, there will be an item requiring each board, commission, and corporation president/chair be a council member.

City Attorney Welch stated that there will be several things to consider and update prior to a vote. The following boards was mentioned:

ZBA- since this is a judicial board, not sure if council can require the chair to be a council member.

Planning & Zoning- the Zoning Ordinance will need to be changed and requires public hearings, both the commission and council.

Type A and Type B EDC- the bylaws will need to be changed and filed with the comptroller's office.

The council gave direction to staff to bring back outline for council to review of what all needs to be completed.

F. WORK SESSION

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

City Manager Peacock stated that some of these line items are close to 100%. He sent a memo to staff to watch their expenditure.

He also stated that they must adjust the year-end so the auditors can make their deadline.

2. Discussion on changing utility billing collections from the City of Joshua to Waste Connections. (Staff Resource: A. Bransom)

Asst. City Manager Bransom stated that she is unable to get rates until spring.

We have a lot of residents that don't pay for trash service, over 100. If we can allow them to process the billing, it will solve the problem.

In order to clean up the billing and making sure residents have trash accounts is to have waste connections take over the billing.

City Council gave direction to move forward with this item.

3. Discussion on the requirements of residential lot sizes as requested by Julian Torrez. (Staff Resources: A. Maldonado)

Julian Torrez, 951 Lavone Dr, the city website stated unlock Joshua. Because of wildwood, he believes the minimum lot size requirements.

He believes should go to 22,000 lot size. This way, when developers ask for waiver, we won't have to go down to 7500.

Councilmember Anderson asked why we have ordinances if we are not going to follow them.

Councilmember Fleming stated that we have given up too much in the past and support we require 10,000.

Councilmember Nichols agrees that we must stick to the current requirements 10,000.

City Manager Peacock stated that he has talked to Aaron and will not be bringing anything with lots under 10,000.

Mayor Kimble stated that he appreciates Julian Torrez and Danny Turpen for bringing this matter to the council's attention. Staff knows that we will following the 10,000.

4. Discussion on a request for annexation of 220 Ranch Rd. (Staff Resources: M. Peacock)

City Manager Peacock stated that the issue is that he wants to replat 2 lots to build another house and the county requires 1 acre for a septic system and the city only requires .5 acre. In addition, staff made an error and allowed him to replat without realizing he not city limits.

Mayor Kimble asked Mr. Sewer if he had requested a variance and he stated that he was told that a variance would not be issue for this.

City Council gave staff direction to move forward with the annexation process.

5. Questions regarding Regular Session agenda items.

NA

G. 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.

1. Recognition of Lieutenant Luke Burgdorf and McDonald's restaurant employees Magen Rivera, Jasper Washburn, Thomas Vaughn, and Tracie Vaughn for their part in the saving of life on July 3, 2022.

Fire Chief Griffith presented plaques to Magen Rivera, Jasper Washburn, Thomas Vaughn, and Tracie Vaughn for their part in the saving of life during a car accident on July 3, 2022.

Fire Chief Griffith presented Lieutenant Luke Burgdorf a lifesaving award and plaque for his part of saving a life during the car accident on July 3, 2022.

H. CONSENT AGENDA

1. Discuss, consider, and possible action on approval of meeting minutes of July 21, 2022. (Staff Resources: A. Holloway)

Motion made by Councilmember Anderson, Seconded by Councilmember Nichols.

Voting Yea: Mayor Kimble, Councilmember Waldrip, Councilmember Nichols, Councilmember Fleming, Councilmember Anderson

2. Discuss, consider, and possible action ratifying the letter of engagement for annual audit services with Snow Garrett Williams, Certified Public Accountants of Weatherford. (Staff Resources: M. Peacock)

Motion made by Councilmember Nichols, Seconded by Councilmember Waldrip.

Voting Yea: Mayor Kimble, Councilmember Waldrip, Councilmember Nichols, Councilmember Fleming, Councilmember Anderson

3. Discuss, consider, and possible action on an interlocal agreement with JCSUD for water utilities facilities relocation and maintenance regarding Mockingbird Phase 2. (Staff Resources: M. Peacock)

Motion made by Councilmember Anderson, Seconded by Councilmember Waldrip.

Voting Yea: Mayor Kimble, Councilmember Waldrip, Councilmember Nichols, Councilmember Fleming, Councilmember Anderson

4. Discuss, consider, and possible action on an interlocal agreement with JCSUD for water utilities facilities relocation and maintenance regarding Joshua Highlands Development. (Staff Resources: M. Peacock)

Motion made by Councilmember Nichols, Seconded by Councilmember Anderson.

Voting Yea: Mayor Kimble, Councilmember Waldrip, Councilmember Nichols, Councilmember Fleming, Councilmember Anderson

I. REGULAR AGENDA

1. Discuss, consider, and possible action on issuance of a Tax Note in the amount of \$1,000,000 for expenses related to the municipal project regarding the land purchase, architectural design, engineering, or other related costs as needed.

Mr. Andrew Friedman, Senior Managing Director with Samco Capital presented a written presentation regarding issuance of a Tax Note in the amount of \$1,000,000 for expenses related to the municipal project regarding the land purchase, architectural design, engineering, or other related costs as needed.

Mr. Friedman presented a draft schedule for the sale of a tax note.

Motion made by Councilmember Anderson to approve an issue of a tax note in the amount of \$1,000,000 regarding the municipal project. Seconded by Councilmember Nichols.

Voting Yea: Mayor Kimble, Councilmember Waldrup, Councilmember Nichols, Councilmember Fleming, Councilmember Anderson

2. Discuss, consider, and possible action on a resolution proposing the adoption of an Ad Valorem Tax Rate for Fiscal Year 2023 and schedule a public hearing subject to all public hearing requirements of the Texas Property Tax Code. (Staff Resources: M. Peacock)

Motion made by Councilmember Fleming to approve a resolution setting the proposed tax rate at .71493, Seconded by Councilmember Nichols.

A record vote was taken.

Voting Yea: Mayor Kimble, Councilmember Waldrup, Councilmember Nichols, Councilmember Fleming, Councilmember Anderson

3. Discuss, consider, and possible action on development agreements between the City of Joshua and property owners of parcels located on Lot 7 and 8 PT of Block 1, in the Scarlet Oaks Addition PH II and authorize the city manager to execute all necessary documents. (Staff Resources: A. Holloway & M. Peacock)

Motion made by Councilmember Waldrup, Seconded by Councilmember Nichols.

Voting Yea: Mayor Kimble, Councilmember Waldrup, Councilmember Nichols, Councilmember Fleming, Councilmember Anderson

4. Discuss, consider, and possible action on an Ordinance disannexing tracts of land described in exhibit "A", attached hereto, from the city limits of the City of Joshua, Texas, pursuant to Section 43.142 of the Texas Local Government Code. (Staff Resources: M. Peacock)

Motion made by Councilmember Fleming, Seconded by Councilmember Anderson.

Voting Yea: Mayor Kimble, Councilmember Waldrup, Councilmember Nichols, Councilmember Fleming, Councilmember Anderson

5. Discuss, consider, and possible action on an Ordinance amending the Code of Ordinances by adding a new Section 1.03.003, "Signatures and Seals: Electronic, Digital and Facsimile," and approving the adoption of City rules. (Staff Resources: A. Holloway)

Motion made by Councilmember Nichols, Seconded by Councilmember Waldrup.

Voting Yea: Mayor Kimble, Councilmember Waldrup, Councilmember Nichols, Councilmember Fleming, Councilmember Anderson

6. Discussion on creating a Charter Review Committee.

City Council gave staff direction to bring back resolution appointing a Charter Review Committee.

J. STAFF REPORT-JULY 2022

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

K. 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:

- a. Pursuant to Section 551.072 of the Texas Government Code to discuss or deliberate the purchase, exchange, lease, or value of real property.

Mayor Kimble announced that the City Council will recess into Executive Session at 8:44 pm.

L. 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.

Mayor Kimble reconvened the meeting into regular session at 9:08 pm.

No action taken as a result of the executive session.

M. 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.

1. City Tree Ordinance
2. Internet service in the community

N. ADJOURNMENT

Mayor Kimble adjourned the meeting at 9:09 pm.

Scott Kimble, Mayor

Alice Holloway, TRMC, MMC
City Secretary

Approved: September 12, 2022