



**MINUTES
CITY COUNCIL REGULAR MEETING
COUNCIL CHAMBERS
OCTOBER 17, 2024
6:30 PM**

PRESENT

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

STAFF PRESENT

City Manager Mike Peacock
Asst. City Manager Amber Bransom
Dev. Services Dir. Aaron Maldonado
City Secretary Alice Holloway

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 Joshua City Hall, located at 101 S. Main St., Joshua, Texas. 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/89832695989?pwd=ekNLfsbsQzwiGTzESTHIIIVvYSExVb3.1>

Meeting ID: 898 3269 5989 Passcode: 557646

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
The City Council led the Pledge of Allegiance.

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 September 2024.

City Manager Mike Peacock presented the budget report and financial statement for September 2024. Mr. Peacock stated that the tax revenues are at 1.09 percent. License/permit/fee numbers are still down. In addition, he stated that the year-end close-out should be presented in November.

2. Discuss the speed limit reduction on FM 917 from SH 174 to FM 1902 requested by Mr. Scott Atwood.

City Manager Mike Peacock passed out a report with traffic reports for the area. Mr. Peacock stated that there is an enforcement issue since there is no shoulder. There are approximately 11,718 average cars per day.

City Manager Peacock stated that TxDot is in receipt of the request. They do not have any plans to recount until all the current construction is completed.

City Manager Peacock stated that he does not oppose the change and TxDot has the final say.

Mr. Atwood stated that he is a licensed engineer, he was working on a construction project in Arlington, and he was in an accident, which messed him up pretty good. The speed limit was changed shortly after, not related to his accident. He is experienced and believes there is a responsibility to make the roads safe.

On the design in the packet, the design is 40, and the posted speed is 55 coming from the toll road, when you get into Joshua, it is posted at 50, and 30 near the railroad.

He has spoken to the City of Burleson and they stated that they will take the lead with TxDot.

Councilmember Waldrip stated that it is a state highway so we need to refer to them.

Councilmember Kidd stated that he doesn't have a problem lowering, and does not like the different speed limits, needs to be consistent.

Councilmember Nichols stated that she agrees that we need to stay consistent.

Councilmember Breitenstein stated that he doesn't think people will pay attention.

Councilmember Marshall stated that he believes it needs to be referred to TxDOT.

Councilmember Anderson stated that it is excessive and if you are stopped at a train, it is very excessive, and she agrees that 55 is excessive.

Mayor Kimble believes it needs to be reduced.

City Manager Peacock stated that he would send a letter asking for the speed to be changed from 40 to 30.

3. Discussion on the proposed policy 2.5 Covered Applications and Prohibited Technology.

HR Director Grounds stated that in response to the recently passed Senate Bill regarding TikTok, cities are required to have a policy in place forbidding TikTok application on City leased or owned phones.

Mayor Kimble asked if this includes employees who receive an allowance for their phones. City Attorney Welched answered no.

4. Discussion on the proposed revisions to policy 4.9 Longevity Pay & Service Recognition Program.

Brittany explained that the language is generic and gives the council the right to change during the budget process.

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 stated that he recently spoke to the students at Staples Elementary.

Mayor Kimble stated that he attended the Joshua ISD Navy Ball with newly elected Stated Representative Helen Kerwin.

City Secretary Holloway reminded everyone that early voting starts on October 21st.

Interim Police Chief Fuller reminded me that the drug takeback program is on October 27th.

Asst. City Manager Bransom stated that the tax documents have been filed and the chamber members have started working on their 506 documents.

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.

Mr. Ray Cooper spoke in favor of the Johnson County Bond proposal.

G. CONSENT AGENDA

1. Discuss, consider, and possible action on September 19, 2024, meeting minutes.
2. Discuss, consider, and possible action on a resolution approving the City of Joshua Investment Report for the Quarter Ending September 30, 2024.
3. Discuss, consider, and possible action on policy 2.5 Covered Applications and Prohibited Technology.
4. Discuss, consider, and possible action on revisions to policy 4.9 Longevity Pay & Service Recognition Program.

Motion made by Councilmember Anderson to approve the Consent Agenda. Seconded by Councilmember Marshall.

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

H. REGULAR AGENDA

1. Public hearing on a request for a zoning change regarding approximately 0.238 acres of land in the W. Byers Survey, Abstract Number 29, Lots 1 Thru 4, BLK 16, Original Town of Joshua, County of Johnson, Texas, located at 309 Santa Fe, to change from (R-1) Single Family Residential District to the (R2) Moderate Density Residential District, to allow for zero lot line single-family detached units on separate lots.

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

Mayor Kimble opened the public hearing at 7:12 pm.

Mayor Kimble recused himself and left the room for the remainder of this item.

Development Services Director Maldonado stated the following:

The subject property has been platted as two lots. The property is zoned (R-1) Single Family Residential District. The purpose of the rezoning is to build two zero-lot line single-family homes in accordance with the R-2 Moderate Density Residential District area regulations of Chapter 14.

Mayor Kimble returned to the dais and closed the public hearing at 7:12 pm.

2. Discuss, consider, and possible action on approving an ordinance for a zoning change regarding approximately 0.238 acres of land in the W. Byers Survey, Abstract Number 29, Lots 1 Thru 4, BLK 16, Original Town of Joshua, County of Johnson, Texas, located at 309 Santa Fe, to change from (R-1) Single Family Residential District to the (R2) Moderate Density Residential District, to allow for zero-lot line single-family detached units on separate lots.

Motion made by Councilmember Waldrip to approve. Seconded by Councilmember Anderson.

Voting Yea: Councilmember Waldrip, Councilmember Kidd, Councilmember Marshall, Councilmember Anderson

Voting Nay: Councilmember Nichols, Councilmember Breitenstein

Voting Abstaining: Mayor Kimble

3. Discuss, consider, and possible action on an Ordinance amending the FY 2025 budget.

Motion made by Councilmember Anderson, Seconded by Councilmember Marshall.

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

4. Presentation of TDA Form A1024 CDBG Section 3 Goals and Concepts related to the CDBG Program and Grant Contract Number CVD23-0132.

Asst. City Manager Bransom gave a brief presentation regarding the TDA Form A1024 CDBG Section 3 Goals and Concepts related to the CDBG Program and Grant Contract Number CVD23-0132.

5. Discuss, consider, and possible action regarding the TxCDBG Project 23-0132 awarding construction to Blacksmith Ventures for a total construction contract of \$618,185.00.

Motion made by Councilmember Kidd to approve. Seconded by Councilmember Marshall.

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

6. Discuss, consider, and possible action on approving a Site Plan regarding 0.2650 acres of land known as Lot 5R, Block 4, Original Town Joshua, W. Byers Survey, Abstract No. 29, County of Johnson, Texas, locally known as 204 N. Main, to allow for the construction of a commercial professional building.

Motion made by Councilmember Waldrip to approve the proposed site plan. Seconded by Councilmember Nichols.

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

7. Discuss, consider, and possible action on the approval of new playground equipment and contract with Cunningham Recreation for the City Park.

Motion made by Councilmember Kidd to approve the proposed playground equipment and contract. Seconded by Councilmember Breitenstein.

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

I. STAFF REPORT

1. Police Department
2. Fire Department
3. Municipal Court
4. Animal Services
5. Development Services
6. Public Works
7. Code Enforcement
8. Parks Department
9. 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. Pursuant to the Texas Government Code, Section 551.071, consultation with the City Attorney regarding legal advice and issues associated with the Emergency Services District and all matters incident and related thereto.
2. Pursuant to Section 551.087 of the Texas Government Code: to discuss or deliberate regarding commercial or financial information received from or the offer of a financial or other incentive made to a business prospect seeking to locate, stay, or expand in or near the territory of the City and with which the City is conducting economic development negotiations.
3. 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 the City Council will recess into Executive Session at 8:01 pm.

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 the executive session.

Mayor Kimble announced the City Council reconvened into Regular Session at 8:34 pm.

No action was taken.

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.

NA

M. ADJOURN

Mayor Kimble adjourned the meeting at 8:36 pm.