



**MINUTES
CITY COUNCIL REGULAR MEETING
COUNCIL CHAMBERS
APRIL 21, 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 April 21, 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 Joe Hollarn
Place 1 Rick DePriest
Place 2 Mike Kidd
Place 3 Angela Nichols
Place 4 Merle Breitenstein
Place 5 Robert Fleming
Place 6 Scott Kimble

Staff

City Manager Mike Peacock
City Secretary Alice Holloway
City Attorney Jeremy Morris
Police Chief David Gelsthorpe
Dev. Services Director Aaron Maldonado

Join Zoom Meeting:

<https://us02web.zoom.us/j/88607298835?pwd=UmpRT2s3RU1BM0tKVfZoZGNESlh1QT09>

Meeting ID: 88607298835 Passcode: 268959 or dial 3462487799

A. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT

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

B. PLEDGE OF ALLEGIANCE

Council Member Kidd led the Pledge of Allegiance to the United States of America and the Texas flag.

1. United States of America
2. Texas flag

C. INVOCATION

Dale Wilbanks, Pastor of Methodist Church, gave the invocation.

D. WORK SESSION

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

City Manager Peacock presented the financial statement for March 2022. Councilmember Kimble questioned the \$106,000 in the miscellaneous field. City Manager Peacock stated that is pass through income.

2. Discuss and receive traffic impact update on the FM 917 underpass project.

City Manager Peacock gave a brief update on the FM 917 underpass project. City Manager Peacock stated that the traffic count shows a 1.98% increase from 2015 to 2020 on Eddy and a 58.01% increase on Caddo Street.

3. Questions regarding regular session agenda items.

No discussion on this item.

E. 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. Proclamation recognizing May 5, 2022, as National Day of Prayer.

Mayor Hollarn read out loud and presented the National Day of Prayer proclamation to Pastor Joshua Burns.

2. Proclamation recognizing Abby Mitchell for being ranked #1 in the State for Class 5A Small School Texas High School Women's Powerlifting Association 198 lb. Class.

Mayor Hollarn stated that the proclamation was given to the school earlier this week so it will not be presented at the council meeting.

3. Proclamation recognizing Hannah Willis for being ranked #1 in the State for Class 5A Small School Texas High School Women's Powerlifting Association 123 lb. Class.

Mayor Hollarn stated that the proclamation was given to the school earlier this week so it will not be presented at the council meeting.

F. CONSENT AGENDA

1. Consider approval of minutes from the City Council Meeting held on February 21, 2022, and March 17, 2022. (Staff Resource: A. Holloway)

Motion made to approve the Consent Agenda by Place 6 Kimble, Seconded by Place 3 Nichols.

Voting Yea: Mayor Hollarn, Place 1 DePriest, Place 2 Kidd, Place 3 Nichols, Place 4 Breitenstein, Place 5 Fleming, Place 6 Kimble.

G. REGULAR AGENDA

1. Public hearing on a request for a rezone regarding approximately 1.106-acre tract of land in the Christopher Chaney Survey, TR 22C, Abstract No. 175, County of Johnson, Texas, located at 235 Trailwood Dr. to change from (A) Agricultural District to the (R1) Single Family Residential District to allow for the construction of a home. (Staff Resource: A. Maldonado)

Staff Presentation

Owner's Presentation

Those in Favor

Those Against

Owner's Rebuttal

Mayor Hollarn opened the public hearing at 6:45 pm regarding the request for a rezone regarding approximately 1.106-acre tract of land in the Christopher Chaney Survey, TR 22C, Abstract No. 175, County of Johnson, Texas, located at 235 Trailwood Dr.

Staff Presentation- Aaron Maldonado read the following statement:

The vacant property has never been platted and will be required to do so. The property is zoned Agricultural District. This development will be required to submit engineered building plans and will also be required to final plat. The City has agreed that building plans may be submitted after approval of the final plat and before a building permit is issued.

Mayor Hollarn closed the public hearing at 6:45 pm.

2. Discuss, consider, and possible action approving an ordinance for a zoning change regarding approximately 1.106-acre tract of land in the Christopher Chaney Survey, TR 22C, Abstract No. 175, County of Johnson, Texas, located at 235 Trailwood Dr. to change from (A) Agricultural District to the (R1) Single Family Residential District to allow for the construction of a home. (Staff Resource: A. Maldonado)

Motion made to approve an Ordinance for a zoning change regarding approximately 1.106-acre tract of land in the Christopher Chaney Survey, TR 22C, Abstract No. 175, County of Johnson, Texas, located at 235 Trailwood Dr. by Place 5 Fleming, Seconded by Place 2 Kidd.

Voting Yea: Mayor Hollarn, Place 1 DePriest, Place 2 Kidd, Place 3 Nichols, Place 4 Breitenstein, Place 5 Fleming, Place 6 Kimble

3. Discuss, consider, and possible action on awarding a bid for the East 4th Street and Caddo Road Improvements Project. (Staff Resource: M. Peacock)

Motion made to award the bid for the East 4th Street and Caddo Road Improvements Project to Jay Mills Contracting, Inc. with the base bid of \$1,145,389.75 by Place 1 DePriest, seconded by Place 4 Breitenstein.

Voting Yea: Mayor Hollarn, Place 1 DePriest, Place 2 Kidd, Place 3 Nichols, Place 4 Breitenstein, Place 5 Fleming, Place 6 Kimble

4. Discuss, consider, and possible action on ratifying the purchase of a 2022 International HV607 dump truck for public works and authorizing the mayor to execute all necessary documents. (Staff Resource: A. Bransom)

Motion made to ratify the purchase of a 2022 International HV607 dump truck by Place 2 Kidd, Seconded by Place 3 Nichols.

Voting Yea: Mayor Hollarn, Place 1 DePriest, Place 2 Kidd, Place 3 Nichols, Place 4 Breitenstein, Place 5 Fleming, Place 6 Kimble

5. Discuss, consider, and possible action on appointment to the Zoning Board of Adjustment. (Staff Resource: A. Holloway)

Mayor Hollarn stated that we currently have two openings on the Zoning Board of Adjustment and there is an upcoming meeting scheduled.

Motion made by Place 6 Kimble to appoint Jerry Moore and Glen Walden, seconded by Place 3 Nichols.

Voting Yea: Mayor Hollarn, Place 1 DePriest, Place 2 Kidd, Place 3 Nichols, Place 4 Breitenstein, Place 5 Fleming, Place 6 Kimble

H. STAFF REPORT-MARCH 2022

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

I. 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.

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. Consultation with the City Attorney relative to legal issues associated with a contract and all matters incident and related thereto.

Mayor Hollarn announced that the City Council will recess into Executive Session at 7:08 pm.

K. RECONVENE INTO REGULAR SESSION

Mayor Hollarn reconvened the meeting into a regular session at 7:35 pm.

No action taken as a result of the Executive 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 executive session.

L. ADJOURNMENT

Mayor Hollarn adjourned the meeting at 7:48 pm.

The City Council reserves the right to meet in executive session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including 551.071 (private consultation with the attorney for the City); 551.072 (discussing purchase, exchange, lease or value of real property); 551.074 (discussing personnel or to hear complaints against personnel); and 551.087 (discussing economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

Pursuant to Section 551.127, Texas Government Code, one or more Councilmembers may attend this meeting remotely using videoconferencing technology. The video and audio feed of the videoconferencing equipment can be viewed and heard by the public at the address posted above as the location of the meeting. A quorum will be physically present at the posted meeting location of City Hall.

In compliance with the Americans with Disabilities Act, the City of Joshua will provide reasonable accommodations for disabled persons attending this meeting. Requests should be received at least 24 hours prior to the scheduled meeting by contacting the City Secretary's office at 817/558-7447.

CERTIFICATE:

I hereby certify that the above agenda was posted on or before the April 14, 2022, by 5:00 pm on the official bulletin board at Joshua City Hall, 101 S. Main, Joshua, Texas.

Alice Holloway
City Secretary