



**MINUTES
CITY COUNCIL
REGULAR MEETING
MARCH 17, 2022
6:30 PM**

City Council Present: Joe Hollarn, Mayor; Rick DePriest, Place 1; Mike Kidd, Place 2; Merle Breitenstein, Place 3; Angela Nichols, Place 4; Robert Fleming, Place 5; and Scott Kimble, Place 6

City Council Absent: None

City Staff Present: Mike Peacock, City Manager; Amber Bransom, Assistant City Manager; David Gelsthorpe, Police Chief; Tom Griffith, Fire Chief; Aaron Maldonado, Development Services Director; Terry Welch, City Attorney; and Alice Holloway, City Secretary.

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

Join Zoom Meeting:

<https://us02web.zoom.us/j/86158821952?pwd=bnUyVm1Gb2kvWSs2SjFGZk1iTE90UT09>

Meeting ID: 861 5882 1952 Passcode: 662857 or dial 1-346/248-7799

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 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 at 6:30PM

B. PLEDGE OF ALLEGIANCE

1. United States of America
2. Texas Flag

Councilmember Kidd led the Pledge of Allegiance.

C. INVOCATION

Barbara Crew led the Invocation.

D. WORK SESSION

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

City Manager Mike Peacock presented the financial statement for February 2022.

2. Discuss and review the Facilities Feasibility Study regarding City Hall, Police Department, and Animal Control facilities. (Staff Resource: M. Peacock)

Frank Callahan, representative of C & F Architects presented the Facilities Feasibility Study regarding City of Joshua City Hall, Police Station, and Animal Shelter. Each building the topics of Existing building assessments, facility renovation/expansion study, and cost estimate was presented.

Mayor Hollarn and City Council thanked Mr. Callahan for their assistance.

3. Review and discuss the upcoming training opportunities for the police department. (Staff Resource: D. Gelsthorpe)

Police Chief Gelsthorpe stated that he was considering attending training seminars located out of state and the City Manager wanted to make the council aware in advance. City Council stated that they are fine with Chief Gelsthorpe attending the training.

4. Discuss and receive an assessment of possible traffic impact during the FM 917 underpass project. (Staff Resource: M. Peacock)

City Manager Peacock stated that following construction of the JISD campuses located on FM 917, traffic along Caddo has increased significantly during the months of August- May. In addition, he stated that closing of FM 917 during the construction phase west of S. Main Street will more than likely create additional traffic along Caddo Street during the school year.

5. Questions regarding Regular Session agenda items.

No discussion on this item (E5).

E. PUBLIC FORUM, PRESENTATIONS, 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.

None

F. CONSENT AGENDA

1. Consider approval of minutes from the City Council Meeting held on February 17, 2022. (Staff Resource: A. Holloway)
2. Discuss, consider, and possible action on an Ordinance declaring unopposed candidate for Council Member Place 6 elected to office; canceling May 7, 2022, Special Election; requiring the issuance of a Certificate of Election to the Unopposed candidate, and providing an effective date. (Staff Resource: A. Holloway)

Councilmember Breitenstein moved to approve the Consent Agenda. Councilmember Fleming seconded the motion. The motion passed unanimously.

G. REGULAR AGENDA

1. Discuss, consider, and possible action on accepting the FY21 Annual Financial Report. (Staff Resource: M. Peacock)

Bhakti Patel, auditor with Clifton, Larson, Allen, LLC., presented the FY21 Annual Financial Report.

Councilmember Kimble moved to accept the FY21 Annual Financial Report. Councilmember Kidd seconded the motion. The motion passed unanimously.

2. Public hearing on a request to amend the 2018 Future Land Use Map by changing the future land use designation of Commercial/Office/Service to Low-Density Residential on West FM 917 from Santa Fe St. to the City limit line. (Staff Resource: A. Maldonado)

Mayor Hollarn opened the public hearing at 7:43 pm.

- Staff Presentation

Director of Development Services, Aaron Maldonado read the following statement:

The Future Land Use plan was last updated in 2018 and it is obvious that provisions must be made for changing the regulations as conditions change or new conditions arise. Otherwise, zoning would be confined and a detriment to a community instead of an asset. Periodic revision is essential if the ordinance is to establish and maintain a rational land use pattern. There have been recent inquiries from developers about developing parcels of land into residential uses down West FM 917.

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

Mayor Hollarn closed the public hearing at 7:44 pm.

3. Discuss, consider, and possible action on a request to amend the 2018 Future Land Use Map by changing the future land use designation of Commercial/Office/Service to Low-Density Residential on West FM 917 from Santa Fe St. to the City limit line. (Staff Resource: A. Maldonado)

Councilmember Breitenstein moved to approve the amendment of the 2018 Future Land Use Map by changing the future land use designation of Commercial/Office/Service to Low-Density Residential on West FM 917 from Santa Fe St. to the City limit line. Councilmember Kimble seconded the motion. The motion passed 6-1 Councilmember Kidd voting against.

4. Discuss, consider and possible action on an Ordinance adopting Budget Amendment Number One pertaining to the Fiscal Year 2021 Budget. (Staff Resource: M. Peacock)

Councilmember Breitenstein moved to approve an Ordinance adopting Budget Amendment Number One with option "B" pertaining to the Fiscal Year 2021 Budget. Councilmember Fleming seconded the motion. The motion passed unanimously.

5. Discuss, consider, and possible action on approving the Professional Services Agreement Amendment No. 3 with Freese and Nichols for General Engineering Services. (Staff Resource: M. Peacock)

Councilmember Kidd moved to approve the Professional Services Agreement Amendment No. 3 with Freese and Nichols for General Engineering Services. Councilmember Nichols seconded the motion. The motion passed unanimously.

6. Discuss, consider, and possible action on an Interlocal Agreement with Johnson County Special Utility District for water utility facilities relocation and maintenance regarding the Sweetbriar Place Wastewater Rehab Project. (Staff Resource: M. Peacock)

Councilmember Kimble moved to approve an Interlocal Agreement with Johnson County Special Utility District for water utility facilities relocation and maintenance regarding the Sweetbriar Place Wastewater Rehab Project. Councilmember Breitenstein seconded the motion. The motion passed unanimously.

H. STAFF REPORT

February 2022

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

I. 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:

Mayor Hollarn opened for discussion at 8:22pm

1. Pursuant to Section 551.071, consultation with the City Attorney regarding legal issues associated with preannexation development agreements, and related extraterritorial jurisdiction service issues, pursuant to Chapters 43 and 212 of the Texas Local Government Code, and all matters incident and related thereto.

Mayor Hollarn announced that the City Council will recess into Executive Session at 7:44 pm.

J. 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 Hollarn reconvened the meeting into a regular session at 8:23 pm.

K. FUTURE AGENDA ITEMS/REQUESTS BY COUNCILMEMBERS 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.

L. ADJOURNMENT

Mayor Hollarn adjourned the meeting at 8:23 pm.

Joe Hollarn, Mayor

ATTEST:

Alice Holloway, TRMC
City Secretary

Approved: April 21, 2022