



**MINUTES
CITY COUNCIL
REGULAR MEETING
DECEMBER 16, 2021
6:30 PM**

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

City Council Absent: Rick DePriest, Place 1

City Staff Present: Mike Peacock, City Manager; Amber Bransom, Asst. City Manager; Tom Griffith, Fire Chief; David Gelsthorpe, Police Chief; 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/86156927891?pwd=V3B2UG5uYkFLZ1FvN3pRRpQdklmQT09>
Meeting ID: 861 5692 7891 Passcode: 843101 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

B. PLEDGE OF ALLEGIANCE

1. United States of America
2. Texas Flag

Councilmember Breitenstein led the pledge to the flags.

C. INVOCATION

Councilmember Kidd gave the invocation.

D. WORK SESSION

1. Review and discuss questions related to the budget report and financial statement for November 2021. (Staff Resource: M. Peacock)

No discussion on this item (D1)

2. Discussion on the future installation of fiber lines for internet service. (Staff Resource: M. Peacock)

City Manager Peacock gave a brief update regarding the installation of fiber lines in the near future in different areas of the city. City Manager Peacock stated that staff has invited Pathway Communications, AT&T, and United Cooperative to discuss what options may be open for incentives from the city. In addition, he stated that AT&T has not responded, and United Cooperative is currently focusing on areas where they currently provide electric service.

City Manager Peacock provided a cost estimate for several areas of the city that is underserved. In addition, he stated as of now, there has not been a discussion regarding an agreement on what the City's cost would be.

3. Questions regarding Regular Session agenda items.

No discussion on this item (D3)

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.

F. CONSENT AGENDA

1. Consider approval of minutes from the City Council Meeting held on November 18, 2021. (Staff Resource: A. Holloway)
2. Discuss, consider, and possible action on a resolution approving an Interlocal agreement with Interlocal Purchasing System (TIPS). (Staff Resource: A. Bransom)
3. Discuss, consider, and possible action on ratifying an agreement between the City of Joshua and TXU Energy for the supply of electricity with term starting June 1, 2024, and ending May 31, 2029; authorizing the City Manager to execute all necessary documents. (Staff Resource: M. Peacock)

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

G. REGULAR AGENDA

1. Public hearing regarding a request to rezone a 0.564 acre of land known as Tracts 92, 92A, & 90A, in the W.W. Byers Survey, Abstract No. 29, County of Johnson, Texas located at 218 E. 8th Street, 220 E. 8th Street and a portion of 119 N. Broadway Street to change from (R1) Single Family Residential District to the (C1) Restricted Commercial District to allow for the construction of a future commercial site. (Staff Resource: A. Maldonado)

Mayor Hollarn opened the public hearing regarding a request to rezone a 0.564 acre of land known as Tracts 92, 92A, & 90A, in the W.W. Byers Survey, Abstract No. 29, County of Johnson, Texas located at 218 E. 8th Street, 220 E. 8th Street and a portion of 119 N. Broadway Street to change from (R1) Single Family Residential District to the (C1) Restricted Commercial District to allow for the construction of a future commercial site at 6:54 pm.

- Staff Presentation

Development Services Director Maldonado read the following statement:

The subject property has been used as single-family residential property. This property is zoned (R1) Single Family Residential District. The proposed development of this property is to allow for the property to be platted as one lot for the construction of a commercial site. This development will be required to submit engineered construction plans and will also be required to final plat, the City has agreed that these matters may be part of the construction and platting review process. The proposed request is consistent with the Future Land Use Plan. The Planning and Zoning Commission recommended approval of the rezone on December 06, 2021.

Owner's Presentation
NA

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

There were no comments from the public. Mayor Hollarn closed the public hearing at 6:56 pm.

2. Discuss, consider, and possible action on a request to rezone a 0.564 acre of land known as Tracts 92, 92A, & 90A, in the W.W. Byers Survey, Abstract No. 29, County of Johnson, Texas located at 218 E. 8th Street, 220 E. 8th Street and a portion of 119 N. Broadway Street to change from (R1) Single Family Residential District to the (C1) Restricted Commercial District to allow for the construction of a future commercial site. (Staff Resource: A. Maldonado)

Councilmember Fleming moved to approve an Ordinance authorizing the request to rezone a 0.564 acre of land known as Tracts 92, 92A, & 90A, in the W.W. Byers Survey, Abstract No. 29, County of Johnson, Texas located at 218 E. 8th Street, 220 E. 8th Street and a portion of 119 N. Broadway Street to change from (R1) Single Family Residential District to the (C1) Restricted Commercial District to allow for the construction of a future commercial site. Councilmember Kidd seconded the motion. The motion passed unanimously.

3. Discuss, consider, and possible action on an Interlocal agreement with Johnson County to blade overlay CR 904 in the amount of \$11,000 and authorize the Mayor to sign all necessary documents. (Staff Resource: M. Peacock)

Councilmember Kidd moved to approve an Interlocal agreement with Johnson County to blade overlay CR 904 in the amount of \$11,000 and authorize the Mayor to sign all necessary documents. Councilmember Breitenstein seconded the motion. The motion passed unanimously.

4. Discuss, consider, and possible action on an Equipment Lease Agreement with NDS/Kyocera Leasing for copier/printer needs for 60 months and authorize the City Manager to sign all necessary documents. (Staff Resource: A. Bransom)

Councilmember Breitenstein moved to approve an Equipment Lease Agreement with NDS/Kyocera Leasing for copier/printer needs for 60 months and authorize the City Manager to sign all necessary documents. Councilmember Nichols seconded the motion. The motion passed unanimously.

5. Discuss, consider, and possible action on a lease agreement with Enterprise Fleet Management for future procurement of City vehicles and authorize the City Manager to sign all necessary documents. (Staff Resource: A. Bransom)

Councilmember Kidd moved to approve a lease agreement with Enterprise Fleet Management for future procurement of City vehicles and authorize the City Manager to sign all necessary documents. Councilmember Nichols seconded the motion. The motion passed unanimously.

6. Discuss, consider, and possible action regarding the Youth Rainbow Trout Fishing Event to be held on January 15, 2022. (Staff Resource: M. Peacock)

Councilmember Kidd moved to approve to authorize a catch and keep of fish caught during the Youth Rainbow Trout Fishing Event. Councilmember Breitenstein seconded the motion. The motion passed unanimously.

Councilmember Kimble arrived at 7:22 pm.

H. STAFF REPORT

December 2021

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:

1. In accordance with the Texas Government Code, Section 551.074; To deliberate regarding the appointment, employment, and evaluation of a public officer or employee.

- (a) City Secretary
- (b) Municipal Judge

Mayor Hollarn announced that the City Council will recess into Executive Session at 7:26 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 7:54 pm.

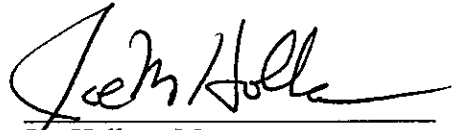
Councilmember Kimble moved to act as discussed in Executive Session. Councilmember Breitenstein seconded the motion. The motion passed unanimously.

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 7:55 PM.



Joe Hollarn, Mayor

ATTEST:



Alice Holloway, TRMC
City Secretary

Approved: January 20, 2022