



**MINUTES
CITY COUNCIL
REGULAR MEETING
AUGUST 19, 2021
6:30 PM**

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

City Council Absent:

City Staff Present: Mike Peacock, City Manager; Amber Bransom, Asst. City Manager; Terry Welch, City Attorney; and Alice Holloway, City Secretary (virtual).

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/87827960715?pwd=c2RvZEUyRjRLS1pHR2o3bTh6RC9Kdz09>

Meeting ID: 878 2796 0715 Passcode: 356114 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 may be found on the city's website (cityofjoshuatx.us) on the Agenda/Minutes/Recordings page. Speaker cards received by 5:00 PM on the day of the meeting will be read during the meeting in the order received by the City Secretary.
- By phone: Please call 817/558-7447 ext. 2003 by 5:00 PM on the day of the meeting and provide your name, address, and question. The City Secretary will read your question in the order they are received.

A. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT

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

B. PLEDGE OF ALLEGIANCE

1. United States of America
2. Texas Flag

Councilmember Fleming led the Pledge to the flags.

C. INVOCATION

Terry Darnell, pastor of United Methodist Church, led the invocation.

D. BUDGET WORKSHOP

1. Discuss the FY 2021-2022 Budget. (Staff Resource: M. Peacock)

City Manager Peacock listed all the items that were not funded in the proposed budget:

- 2nd Police Office Position
- Fire Department Drone

- Admin for City Hall
- Two new Police Cars
- Mower
- Dump Truck
- Fire Truck

City Manager Peacock noted that some of the items in the budget are:

- Salary adjustments, cost of living 4%, and longevity pay at \$5.00 per month
- Benefits – Deductible of \$3,000, changes in vision, dental, and life – total estimate cost of \$625.00 per employee

City Manager Peacock stated that he asked the department heads to be present for two reasons. 1) Answer any question the City Council may have. 2) To tell them how much they are appreciated for their hard work. In addition, he stated that there was going to be a \$96,000 dollar surplus and he believes that a better service would be served by lowering the tax rate to the no new revenue rate.

City Manager Peacock stated that sales tax revenue is expected to come in over one million dollars in 2022.

Mayor Hollarn stated that City Manager Peacock presented the proposed budget very well.

Mayor Hollarn and City Council thanked staff for their hard work.

E. WORK SESSION

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

No discussion on this item (E1)

2. Questions regarding Regular Session agenda items.

No discussion on this item (E2)

F. 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.

NA

F. CONSENT AGENDA

1. Consider approval of minutes from the City Council Meeting held on July 15, 2021. (Staff Resource: A. Holloway)

Councilmember Kimble moved to approve the meeting minutes of July 15, 2021. Councilmember Kidd seconded the motion. The motion passed unanimously.

G. REGULAR AGENDA

1. Public Hearing on a request to amend the Chapter 14, "Zoning Ordinance," Article 5, Section 5.3, "Supplemental Use Standards," swimming pool property line setbacks to five feet (5') instead of the current eight feet (8'); Amending Article 5, Subsection 5.5.4, "Accessory Building Summary Table",

to reflect a 5 foot (5') swimming pool property line setback instead of the current eight foot (8') swimming pool property line setback. (Staff Resource: A. Maldonado)

Mayor Hollarn opened the public hearing regarding the request to amend the Chapter 14, "Zoning Ordinance," Article 5, Section 5.3, "Supplemental Use Standards," swimming pool property line setbacks to five feet (5') instead of the current eight feet (8'); Amending Article 5, Subsection 5.5.4, "Accessory Building Summary Table", to reflect a 5 foot (5') swimming pool property line setback instead of the current eight foot (8') swimming pool property line setback at 7:15 pm.

After no comments from the public, Mayor Hollarn closed the public hearing at 7:17 pm.

2. Discuss, consider, and possible action on a request to amend the Chapter 14, "Zoning Ordinance," Article 5, Section 5.3, "Supplemental Use Standards," swimming pool property line setbacks to five feet (5') instead of the current eight feet (8'); Amending Article 5, Subsection 5.5.4, "Accessory Building Summary Table", to reflect a 5 foot (5') swimming pool property line setback instead of the current eight foot (8') swimming pool property line setback. (Staff Resource: A. Maldonado)

Councilmember DePriest moved to approve an Ordinance amending Article 5, Section 5.3, "Supplemental Use Standards," swimming pool property line setbacks to five feet (5') instead of the current eight feet (8'); Amending Article 5, Subsection 5.5.4, "Accessory Building Summary Table", to reflect a 5 foot (5') swimming pool property line setback instead of the current eight foot (8') swimming pool property line setback. Councilmember Nichols seconded the motion. The motion passed unanimously.

3. Discuss, consider, and possible action on accepting submission of the 2021 no-new-revenue tax rate of \$0.711493 per \$100 taxable value and the voter-approval tax rate of \$0.717950 per \$100 taxable value. (Staff Resource: M. Peacock)

Councilmember Kimble moved to accept the submission of the 2021 no-new-revenue tax rate of \$0.711493 per \$100 taxable value and the voter-approval tax rate of \$0.717950 per \$100 taxable value. Councilmember Kidd seconded the motion. The motion passed unanimously.

4. Discuss, consider, and possible action on a resolution proposing the adoption of a proposed total Ad Valorem Tax Rate for Fiscal Year 2021 and schedule a public hearing subject to all public hearing requirements of the Texas Property Tax Code. (Staff Resource: M. Peacock)

Councilmember Kidd moved to approve a resolution proposing the adoption of a proposed total Ad Valorem Tax Rate for Fiscal Year 2021 at \$0.711493. Councilmember Fleming seconded the motion. The motion passed unanimously.

5. Discuss, consider, and possible action on a resolution amending the personnel policy. (Staff Resource: A. Bransom)

Councilmember Kidd moved to approve a resolution amending the personnel policy. Councilmember DePriest seconded the motion. The motion passed unanimously.

6. Discuss, consider, and possible action on preliminary analysis of refunding bond opportunity regarding General Obligation Bonds, Series 2012. (Staff Resource: M. Peacock)

Councilmember Kidd moved to proceed with refunding bond opportunity regarding General Obligation Bonds, Series 2012. Councilmember Nichols seconded the motion. The motion passed unanimously.

7. Discuss, consider, and possible action on a service agreement with Phoenix Technology Consulting for Technology Services. (Staff Resource: A. Bransom)

Councilmember Kimble moved to approve a service agreement with Phoenix Technology Consulting for Technology Services. Councilmember Nichols seconded the motion. The motion passed unanimously.

8. Discuss, consider, and possible action on approving an expenditure in the amount up to \$18,500 for surveying and engineering cost regarding drainage improvements along Vetch Street and potentially along East 12th Street. (Staff Resource: M. Peacock)

Councilmember Kidd moved to approve an expenditure in the amount up to \$18,500 for surveying and engineering cost regarding drainage improvements along Vetch Street and potentially along East 12th Street. Councilmember Kimble seconded the motion. The motion passed unanimously.

H. STAFF REPORT

July 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. Pursuant to Section 551.072 of the Texas Government Code to discuss or deliberate the purchase, exchange, lease, or value of real property.
2. Pursuant to Section 551.071 of the Texas Government Code to consult with the City Attorney relating to pending litigation, to wit: ZL & SYK, LLC and Mountain Valley Country Club, Inc. vs. City of Joshua, Cause No. DC-C201900008.

Mayor Hollarn announced that the City Council will recess into Executive Session at 7:42 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 the executive session.

Mayor Hollarn reconvened the meeting into a regular session at 8:06 pm.

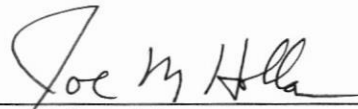
No action was taken as a result of the Executive Session.

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.

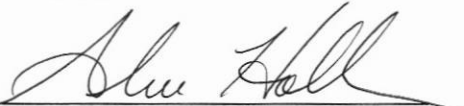
J. ADJOURNMENT

Mayor Hollarn adjourned the meeting at 8:08 PM.



Joe Hollarn, Mayor

ATTEST:



Alice Holloway, TRMC
City Secretary

Approved: September 16, 2021