



**MINUTES
CITY COUNCIL
WORK SESSION
REGULAR SESSION
TUESDAY, AUGUST 13, 2019
6:30 PM**

City Council Present: Kenny Robinson, Mayor; Rick DePriest, Place 1; Mike Kidd, Place 2; Angela Nichols, Place 3; Robert Purdom, Place 4; Jerry Moore, Mayor Pro-Tem; and Scott Kimble, Place 6.

City Council Absent: None

City Staff Present: Josh Jones, City Manager; Mike Peacock, Assistant City Manager; Terry Welch, City Attorney; and Lisa Dawn Cabrera, City Secretary.

A. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT

Mayor Robinson called the meeting to order at 6:30 pm.

B. INVOCATION

Councilman Kidd performed the invocation.

C. PLEDGE OF ALLEGIANCE

Councilman Purdom led the pledges of allegiance.

D. BUDGET WORK SESSION & ACTION ITEMS

1. Review and discuss proposed General Fund budget.
 - a. General Fund Revenues
 - i. Discuss and review Effective Tax Rate and Rollback Tax Rate calculations.
 - ii. Discuss and review all projected revenues.

A discussion was held among the members of the Council and City Staff concerning the General Fund regarding the format of the budget, rollback rate, the effective rate, the adoption timeline, rollback not applying to newly constructed properties, and the tax rate to remain the same due to the growth.

- b. General Fund Expenditures
 - i. Discuss and review base operating budget.

- ii. Discuss and review additional operational needs and requests.
- iii. Discuss and review requests not recommended for funding.

A discussion was held among the members of the Council and City Staff concerning the General Fund expenditures regarding the SAFER Grant funding and expenditures, awning for the Police Department, ESD contract, McPherson House lease, garbage expenditures, property taxes and legislative session, and staffing.

- 2. Review and discuss budget adoption timeline.

A discussion was held concerning the budget timeline and the dates of the meetings that would need to be held later in August and September.

- 3. Discuss, consider, and take action on proposed tax rate.

Councilman Kidd made a motion to set the proposed tax rate at \$0.775270, seconded by Councilman Kimble.

A roll call vote was taken and all members of the Council voted yea.

- 4. Set date for public hearings on budget and tax rate.

Councilman Purdom made a motion to set the public hearings for August 29, 2019 and September 5, 2019, seconded by Councilman Kidd.

Motion passed without objection.

E. WORK SESSION

- 1. Review and discuss possible future adoption of development impact fees, including roadway and storm water drainage. (Staff Resource: J. Jones)

A discussion was held among the members of the City Council and City Staff regarding the cost of a feasibility study, the implementation process, and what the fees would be allowed to pay for.

- 2. Review and discuss questions related to the budget report and financial statement for July 2019. (Staff Resource: J. Jones)

A short discussion was held concerning the budget report being close to the year end numbers.

- 3. Questions regarding Regular Session agenda items.

No questions were posed concerning the Regular Session agenda items.

- 4. Requests for future reports and agenda items.

No requests were communicated to staff.

F. REGULAR SESSION

Mayor Robinson opened the Regular Session at 7:35 pm.

G. PUBLIC FORUM

No one wished to address the members of the Council at this time.

H. CONSENT AGENDA

1. Approval of minutes from the meetings dated July 25, 2019.

Councilman Kimble made a motion to approve the minutes as presented, seconded by Councilman Purdom.

Motion passed without objection.

I. REPORTS & ACTION ITEMS FROM THE PLANNING & ZONING COMMISSION

Mayor Robinson opened the Public Hearing at 7:38 pm.

1. Case # PZ 2019-11 to conduct a public hearing to receive citizen's comments regarding a Re-Plat of approximately 12.323 acres of land. The current legal description being Lots 13 and 14, Block 13 of the Original Town Joshua Addition; Lots 13 and 14, Block 14 of the Original Town Joshua Addition; Portions of First Street, Third Street and Fifth Street ROW Abandonments; and Tract 3 of the W W Byers Survey, Abstract 29 in the City of Joshua, Johnson County, Texas. The proposed legal description is to be Lots 1 through 6, Block 13R of the Original Town Joshua Addition in the City of Joshua, Johnson County, Texas as requested by Larry Maddux.

- a. Staff Presentation

Ms. Cabrera gave the members of the Council a brief description of the Re-Plat request and presented the recommendation the Planning and Zoning Commission.

- b. Owner's Presentation

Larry Maddux, 4500 Buffalo Lane, Joshua, TX addressed the members of the Council with a short description of the Re-Plat.

- c. Those in Favor

Robbie Rumfield, PO Box 1687, Burleson, TX addressed the members of the Council in favor of the requests.

- d. Those Against

No one wished to speak against the request.

- e. Owner's Rebuttal

Mr. Maddux presented the members of the Council with a rebuttal concerning the exceptions suggested by the Planning & Zoning Commission.

Mayor Robinson closed the Public Hearing at 7:50 pm.

2. Discuss, consider and take action on Case # PZ 2019-11 being a Re-Plat of approximately 12.323 acres of land. The current legal description being Lots 13 and 14, Block 13 of the Original Town Joshua Addition; Lots 13 and 14, Block 14 of the Original Town Joshua Addition; Portions of First Street, Third Street and Fifth Street ROW Abandonments; and Tract 3 of the W W Byers Survey, Abstract 29 in the City of Joshua, Johnson County, Texas. The proposed legal description is to be Lots 1 through 6, Block 13R of the Original Town Joshua Addition in the City of Joshua, Johnson County, Texas as requested by Larry Maddux.

A lengthy discussion was held among the members of the Council, City Staff, and the applicant concerning the Re-Plat, required sidewalks on Caddo Street, shared driveways with the lots 1 thru 4, Caddo Street being a collector street in the Thoroughfare Plan, and the ability of the Planning and Zoning Commission to recommend exceptions that were not applied for.

Councilman Kimble made a motion to table the PZ 2019-11, seconded by Mayor Pro-Tem Moore.

Motion passed without objection.

Mayor Robinson opened the Public Hearing at 8:00 pm.

3. Case # PZ 2019-14 to conduct a public hearing to receive citizen's comments regarding a Re-Plat of approximately 1.92 acres of land from the Bandy Addition. The current legal description being Lots 1-3, Block 1 and Lots 1-4, Block 2 of the Bandy Addition and a portion of the ROW abandonment of James Street. The proposed legal description is to be Lots 1R, Block 1 of the Bandy Addition in the City of Joshua, Johnson County, Texas as requested by Robby Rumfield.

a. Staff Presentation

Ms. Cabrera gave the members of the Council a short overview of the Re-Plat request and presented the recommendation the Planning and Zoning Commission.

b. Owner's Presentation

No Owner's Presentation was given.

c. Those in Favor

No one wished to speak for the request.

d. Those Against

No one wished to speak against the request.

e. Owner's Rebuttal

No rebuttal was given.

Mayor Robinson closed the Public Hearing at 8:05 pm.

4. Discuss, consider and take action on Case # PZ 2019-14 being a Re-Plat of approximately 1.92 acres of land from the Bandy Addition. The current legal description being Lots 1-3, Block 1 and Lots 1-4, Block 2 of the Bandy Addition and a portion of the ROW abandonment of James Street. The proposed legal description is to be Lot 1R, Block 1 of the Bandy Addition in the City of Joshua, Johnson County, Texas as requested by Robby Rumfield.

Councilman Purdom made a motion to approve the Re-Plat, seconded by Councilman Kidd.

Motion passed without opposition.

5. Discuss, consider and take action on Case # PZ 2019-17 being a Site Plan for property located at 203 N Main Street with the zoning or Restricted Commercial (C-1) within the Heritage Overlay District (H) with the legal description being Lots 8 S 15ft, 9 & 10, Block 10 of the Original Town Joshua Addition in the City of Joshua, Johnson County, Texas as requested by Robbie Rumfield.

A discussion was held among the members of the Council, City Staff and the applicant regarding the Site Plan, the Planning & Zoning Commission's recommendation, the landscaping of the site, and the "bar" area is not for alcohol.

Mayor Pro-Tem made a motion to approve Site Plan, seconded by Councilman Kidd.

Motion passed unanimously.

Mayor Robinson opened the Public Hearing at 8:10 pm.

6. Case # PZ 2019-18 to conduct a public hearing to receive citizen's comments regarding a zoning change request for a 0.688 acre tract of land from the Restricted Commercial (C-1) within the Joshua Station Overlay District (JSOD) to the Planned Development (PD) within the Joshua Station Overlay District (JSOD) and approve a Site Plan for a restaurant facility. The property is commonly known as 1001 Joshua Station Blvd being Lot 5, Block 1 of the Joshua Station Addition Phase 1 in the City of Joshua, Johnson County, Texas as requested by Kimley-Horn and Associates, Inc.

- a. Staff Presentation

Ms. Cabrera gave the members of the Council a brief description of the zoning change request and presented the recommendation the Planning and Zoning Commission.

- b. Owner's Presentation

Elias Minaise, 1903 Coachlamp Drive, Cedar Park, TX addressed the members of the Council with a short description of the zoning change.

- c. Those in Favor

No one wished to speak for the request.

d. Those Against

No one wished to speak against the request.

e. Owner's Rebuttal

No rebuttal was given.

Mayor Robinson closed the Public Hearing at 8:15 pm.

7. Discuss, consider and take action on Ordinance No. 761-2019 being an Ordinance of the City Council of the City of Joshua, Texas, changing the zoning on approximately 0.688 acres in the Joshua Station Addition in the City of Joshua, Johnson County, Texas, from Restricted Commercial (C-1) in the Joshua Station Overlay District (JSOD) to Planned Development District (PD) in the Joshua Station Overlay District (JSOD), in accordance with the specific requirements stated herein and exhibits attached hereto; repealing all conflicting ordinances; providing a severability clause; providing for a penalty or fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and providing for said ordinance to take effect and be in force from and after its passage and publication and approve development agreement.

Councilman Kimble made a motion to approve Ordinance No. 761-2019 and ratify the Development Agreement, seconded by Councilman Purdom.

Motion passed without objection.

Mayor Robinson opened the Public Hearing at 8:15 pm.

8. Case # PZ 2019-19 to conduct a public hearing to receive citizen's comments regarding a Re-Plat of approximately 0.688 acres of land. The current legal description being Lot 5, Block 1 of the Joshua Station Addition in City of Joshua, Johnson County, Texas. The proposed legal description is to be Lots 5A & 5B, Block 1 of the Joshua Station Addition in the City of Joshua, Johnson County, Texas as requested by Kimely-Horn and Associates, Inc.

a. Staff Presentation

Ms. Cabrera gave the members of the Council a brief description of the Re-Plat application and presented the recommendation the Planning and Zoning Commission.

b. Owner's Presentation

Elias Minaise, 1903 Coachlamp Drive, Cedar Park, TX addressed the members of the Council with a short overview of the Re-Plat.

c. Those in Favor

No one wished to speak for the request.

d. Those Against

No one wished to speak against the request.

e. Owner's Rebuttal

No rebuttal was given.

Mayor Robinson closed the Public Hearing at 8:17 pm.

9. Discuss, consider and take action on Case # PZ 2019-19 being a Re-Plat of approximately 0.688 acres of land. The current legal description being Lot 5, Block 1 of the Joshua Station Addition in City of Joshua, Johnson County, Texas. The proposed legal description is to be Lots 5A & 5B, Block 1 of the Joshua Station Addition in the City of Joshua, Johnson County, Texas as requested by Kimely-Horn and Associates, Inc.

A brief discussion was held among the members of the Council, City Staff, and the applicant regarding the sidewalk construction and the approval letter needed from JCSUD prior to the plat being recorded.

Councilman Purdom made a motion to approve the Re-Plat with the conditions the applicant has the sidewalk construction plans approved by the engineer and the applicant provide an approval letter from JCSUD prior to the plat being recorded with Johnson County, seconded by Councilman Kimble.

Motion passed without opposition.

Mayor Robinson opened the Public Hearing at 8:20 pm.

10. Case # PZ 2019-21 to conduct a public hearing to receive citizen's comments regarding a Conditional Use Permit to allow for a Contractor's Yard without Outside Storage in the Restricted Commercial (C-1) zoning district. The property is commonly known as 108 N Broadway Street with the legal description being Tract 43 in the H G Cason Survey, Abstract 156 in the City of Joshua, Johnson County, Texas as requested by Gary Roye.

a. Staff Presentation

Ms. Cabrera gave the members of the Council a short overview of the Conditional Use Permit request and presented the recommendation the Planning and Zoning Commission.

b. Owner's Presentation

No Owner's Presentation was given.

c. Those in Favor

No one wished to speak for the request.

d. Those Against

No one wished to speak against the request.

e. Owner's Rebuttal

No rebuttal was given.

Mayor Robinson closed the Public Hearing at 8:22 pm.

11. Discuss, consider and take action on Ordinance No. 762-2019 being an Ordinance of the City Council of the City of Joshua, Texas, amending the Official Zoning Map of the City of Joshua, Texas, by changing the zoning on property located at 108 N Broadway in the City of Joshua, Texas, consisting of approximately 0.92 acres of land more particularly described as Tract 43 in the H. G. Cason Survey, Abstract 156, in the City of Joshua, Johnson County, Texas, from Restricted Commercial (C-1) to Restricted Commercial (C-1) with a Conditional Use Permit for a Contractor's Yard without Outside Storage; repealing all conflicting ordinances; providing a severability clause; providing for a penalty; providing for publication; and providing an effective date.

A short discussion was held among the members of the Council, City Staff, and the applicant concerning the property and utilizing only the building for materials.

Councilman Kimble made a motion to approve Ordinance No. 762-2019, seconded by Councilman Kidd.

Motion passed without opposition.

Mayor Robinson opened the Public Hearing at 8:23 pm.

12. Case # PZ 2019-22 to conduct a public hearing to receive citizen's comments regarding a Re-Plat of approximately 0.20 acres of land. The current legal description being the Lots 8 S 15ft, 9, & 10, Block 10 of the Original Town Joshua Addition in the City of Joshua, Johnson County, Texas. The proposed legal description would be Lot 10R, Block 10 of the Original Town Joshua Addition in the City of Joshua, Johnson County, Texas as requested by Robbie Rumfield.

a. Staff Presentation

Ms. Cabrera gave the members of the Council a brief description of the Re-Plat request and the recommendation the Planning and Zoning Commission.

b. Owner's Presentation

No Owner's Presentation was given.

c. Those in Favor

No one wished to speak for the request.

d. Those Against

No one wished to speak against the request.

e. Owner's Rebuttal

No rebuttal was given.

Mayor Robinson closed the Public Hearing at 8:28 pm.

13. Discuss, consider and take action on Case # PZ 2019-22 being a Re-Plat of approximately 0.20 acres of land. The current legal description being the Lots 8 S 15ft, 9, & 10, Block 10 of the Original Town Joshua Addition in the City of Joshua, Johnson County, Texas. The proposed legal description would be Lot 10R, Block 10 of the Original Town Joshua Addition in the City of Joshua, Johnson County, Texas as requested by Robbie Rumfield.

Councilman Kidd made a motion to approve the Re-Plat, seconded by Councilman Kimble.

Motion passed without objection.

J. GENERAL ACTION ITEMS

1. Discuss, consider and take action on Ordinance No. 763-2019 being an Ordinance of the City Council of the City of Joshua, Texas, amending Subsection B, "Definitions," of Section 10.1.7, "Definitions," of Article 1, "General," by amending the definition of "Filing Date" and adding thereto a definition of "Administratively Complete"; repealing existing Section 10.4.2, "Completeness Determination," of Article 4, "Requirements for Plat Submittal," of the City's Subdivision Ordinance, and replacing it with a new Section 10.4.2, "Documents Required for Processing Applications"; amending Section 10.5.1, "General Provisions," of Article 5, "Procedures for Plat Approval"; and repealing Section 10.5.4, "Preliminary Plat Processing," Section 10.5.5, "Revisions Following Approval of Preliminary Plat," Section 10.5.6, "Final Plat," and Section 10.5.7, "Final Plat Processing," of Article 5, "Procedures for Plat Approval"; amending Section 10.5.8, "Minor Plat Processing," Of Article 5, "Procedures for Plat Approval": amending Subsection (B), "Approval," of Section 10.5.9, "Amending Plat Processing," of Article 5, "Procedures for Plat Approval"; all contained in the City's Subdivision Ordinance, Exhibit "A" to Article 10.02.001, "Subdivision Ordinance," of Chapter 10, "Subdivision Regulation," of the Code of Ordinances of the City of Joshua, Texas; providing for severability, savings and repealing clauses; providing for penalties; providing an effective date; and providing for the publication of the caption hereof.

A short discussion was held concerning this ordinance being necessary changes to the Sub-Division regulations due to the new legislation starting in September.

Councilman Kimble made a motion to approve Ordinance No. 763-2019, seconded by Councilman Kidd.

Motion passed unanimously.

2. Discuss, consider and take action on Ordinance No. 764-2019 being an Ordinance of the City Council of the City of Joshua, Texas calling a Bond Election to be held in the City of Joshua, Texas; and resolving other matters incident and related to such election.

A brief discussion was held regarding the Bond Election being the early voting polling place, Election Day polling places, election costs, and the bond fees.

Mayor Pro-Tem Moore made a motion to approve Ordinance No. 764-2019 calling a bond election in the amount of \$3,905,000, seconded by Councilman Kidd.

Motion passed without objection.

K. FYI ITEMS

1. Calendars (September - October 2019)
2. Monthly Reports
 - a. Police Department
 - b. Animal Control
 - c. Fire Department
 - d. Municipal Court
 - e. Public Works Department
 - f. Parks Department
 - g. Planning Department
 - h. Building Inspections/Permits
 - i. New Business Report
 - j. City Secretary
 - k. Outstanding Liens

No action was taken on the FYI Items.

L. EXECUTIVE SESSION

Mayor Robinson recessed into Executive Session at 8:35 pm.

The City Council shall convene in Closed Session in accordance with Texas Government Code:

1. Section 551.074 to consider the employment, evaluation of performance, discipline, or dismissal of the City Manager.
2. Section 551.074 to consider the employment, evaluation of performance, discipline, or dismissal of the City Secretary.

M. RECONVENE IN OPEN SESSION

Mayor Robinson reconvened into Open Session at 10:13 pm.

The City Council shall convene in Open Session and may take any action related to discussion in Executive Session.

1. Discuss, consider and take action on the discussion in accordance with the Executive Session deliberations concerning the City Manager.

No action was taken on this item.

2. Discuss, consider and take action on the discussion in accordance with the Executive Session deliberations concerning the City Secretary.

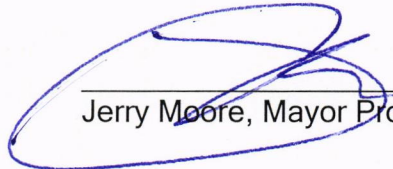
No action was taken on this item.

N. ADJOURNMENT

Mayor Robinson adjourned the meeting at 10:14 pm.

ATTEST:



Lisa Dawn Cabrera, TRMC
City Secretary

Jerry Moore, Mayor Pro-Tem