



**MINUTES
CITY COUNCIL
WORK SESSION
REGULAR SESSION
THURSDAY, MARCH 21, 2019
6:30 PM**

City Council Present: Joe Hollarn, Mayor; Rick DePriest, Place 1; Mike Kidd, Place 2; Sharlotta Connally, 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; Wayne Baker, Fire Chief; Terry Welch, City Attorney; and Lisa Dawn Cabrera, City Secretary.

A. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT

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

B. INVOCATION

Josh Burns with Grace Connections Church performed the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Moore led the pledges of allegiance.

D. WORK SESSION

1. Review and discuss proposed State Legislation. (Staff Resource: J. Jones)

A short discussion was held among the members of the Council and City Staff concerning the bills being considered for this legislative session.

2. Review, discuss and update of 5-Year Strategic Plan and status of FY 2015-2019 Strategic Plan including review of policy action items, management action items, and activities last month. (Staff Resource: J. Jones)

A discussion was held among the members of the Council and City Staff concerning the strategic plan regarding quality of life issues, parks, park dedication fees, purchasing land for parks, zoning issues, zoning ordinance, and the comprehensive plan.

3. Review and discuss 5-Year Capital Improvement Plan. (Staff Resource: J. Jones)

A discussion was held among the members of the Council and City Staff relating to the CIP plan on the topic of a possible bond election, patrol vehicles in the CIP but would not be on the bond, street issues, and street construction.

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

No discussion was held concerning the financial statements.

5. Questions regarding Regular Session agenda items.

No questions were posed about the Regular Session items.

6. Requests for future reports and agenda items.

No requests were communicated to staff.

E. REGULAR SESSION

Mayor Hollarn opened the Regular Session at 7:37 pm.

F. PROCLAMATION & PRESENTATIONS

1. Motorcycle Safety & Awareness Month
2. City of Joshua Prayer Day
3. Firefighter Promotional Badge Pinning

Mayor Hollarn read the proclamations and presented them to the recipients. Chief Baker presented the promotional badges the firefighters.

G. PUBLIC FORUM

Michelle Meredith, 113 Littlebrook, Joshua, TX addressed the members of the City Council concerning the zoning of Littlebrook Estates.

Christopher Copeland, 122 Littlebrook, Joshua, TX addressed the members of the City Council concerning the zoning of Littlebrook Estates.

Larry Taylor, 705 SW 24th Street, Joshua, TX addressed the members of the City Council concerning the streets in the Joshua Ranchettes Addition.

Mike Christopher, 224 Littlebrook, Joshua, TX addressed the members of the City Council concerning the zoning of Littlebrook Estates.

Paula Gilbert, 121 Littlebrook, Joshua, TX addressed the members of the City Council concerning the zoning of Littlebrook Estates.

No one else wished to address the members of the City Council.

H. CONSENT AGENDA

1. Approval of minutes from the meetings dated February 21, 2019.

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

Motion passed without objection.

I. APPOINTMENT TO BOARDS, COMMISSIONS, AND COMMITTEES

1. Discuss, consider and act regarding possible appointments/re-appointment to the Planning and Zoning Commission, Zoning Board of Adjustment, Type A EDC Board, Type B EDC & Parks Board, Heritage Preservation Committee, Library Board, and the Animal Control Advisory Board. (Staff Resource: L. Cabrera)

Councilwoman Connally made a motion to appoint Robert Fleming as the Planning and Zoning Representative to the Heritage Preservation Committee, seconded by Councilman Kidd.

Motion passed without opposition.

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

Mayor Hollarn opened the public at 7:40 pm.

1. Case # PZ 2019-02 to conduct a public hearing to receive citizen's comments regarding a Re-Plat of property being approximately 0.831 acres out of the W W Byers Survey, Abstract 29, being a part of Lots 8 & 9, Block 2 of the West Addition on property located south of Cedar Crest Street and north of 4th Street and between Veatch and South Broadway in the City of Joshua, Johnson County, Texas as requested by Laura Psencik with Trans Texas Surveying. (Staff Resource: L. Cabrera)

a. Staff Presentation

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

b. Owner's Presentation

No owner's presentation was given.

c. Those in Favor

No one wished to speak in favor of the request.

d. Those Against

No one wished to speak against the request.

e. Owner's Rebuttal

No owner's rebuttal was given.

Mayor Hollarn closed the Public Hearing at 7:42 pm.

2. Discuss, consider and take action on a Re-Plat of property being approximately 0.831 acres out of the W W Byers Survey, Abstract 29, being a part of Lots 8 & 9, Block 2 of the West Addition on property located south of Cedar Crest Street and north of 4th Street and between Veatch and South Broadway in the City of Joshua, Johnson County, Texas as requested by Laura Psencik with Trans Texas Surveying. (Staff Resource: L. Cabrera)

Mayor Pro-Tem Moore made a motion to approve the Re-Plat as submitted, seconded by Councilman Kimble.

Motion passed unanimously.

Mayor Hollarn opened the Public Hearing at 7:44 pm.

3. Case # PZ 2019-03 to conduct a public hearing to receive citizen's comments regarding a Conditional Use Permit and associated Site Plan for a mini-warehouse facility. The property is located on the west side of Main Street and east of the BNSF Railroad tracks and is legally known as Lots 1-3, Block 1 and Lots 1-4, Block 2 of the Bandy Addition in the City of Joshua, Johnson County, Texas as requested by Robbie Rumfield. (Staff Resource: L. Cabrera)

a. Staff Presentation

Ms. Cabrera gave the members of the Council a brief description of the Conditional Use Permit and Site Plan request and the recommendation of the Planning and Zoning Commission.

b. Owner's Presentation

No owner's presentation was given.

c. Those in Favor

No one wished to speak in favor of the request.

d. Those Against

No one wished to speak against the request.

e. Owner's Rebuttal

No owner's rebuttal was given.

Mayor Hollarn closed the Public Hearing at 7:46 pm.

4. Discuss, consider and take action on Ordinance No. 741-2019 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 on James Street in the City of Joshua, Texas, consisting of approximately 1.917 acres of land, further described as Lots 1-3, Block 1 and Lots 1-4, Block 2 of the Bandy Addition in the City of Joshua, Johnson County, Texas, from General Commercial (C-2) to General Commercial (C-2)

with a Conditional Use Permit to allow for a Self-Storage Facility; repealing all conflicting ordinances; providing a severability clause; providing for a penalty; providing for publication; and providing an effective date. (Staff Resource: L. Cabrera)

A brief discussion was held among the members of the Council concerning other storage facilities in the city and demand for the use.

Councilman Kimble made a motion to approve Ordinance No. 741-2019, seconded by Councilwoman Connally.

Motion passed without objection.

Mayor Hollarn opened the Public Hearing at 7:50 pm.

5. Case # PZ 2019-04 to conduct a public hearing to receive citizen's comments regarding a rezoning request of approximately 68.939 acres of land from the Agricultural (A) zoning district to the Planned Development (PD) zoning district. The property is commonly known as W FM 917 with the legal description being Tracts 16, 16A, & 16 PT of the W W Byers Survey, Abstract 29 in the City of Joshua, Johnson County, Texas as requested by Carter Mahanay with FM 917, LP. (Staff Resource: L. Cabrera)

a. Staff Presentation

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

b. Owner's Presentation

Peter Thomas, PO Box 145, Mansfield, TX addressed the members of the City Council with a short summary of the request.

c. Those in Favor

No one wished to speak in favor of the request.

d. Those Against

No one wished to speak against the request.

e. Owner's Rebuttal

No owner's rebuttal was given.

Mayor Hollarn closed the Public Hearing at 7:54 pm.

6. Discuss, consider and take action on Ordinance No. 742-2019 being an Ordinance of the City Council of the City of Joshua, Texas, changing the zoning on approximately 68.939 acres in the W W Byers Survey, Abstract No. 29, in the City of Joshua, Johnson County, Texas, from Agricultural (A) to Planned Development District (PD), 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. (Staff Resource: L. Cabrera)

A short discussion was held among the members of the City Council, City Staff, and the applicant regarding the number of "J" swing garages, sidewalks, parks and park dedication, draining waiver to be requested at the time of platting, and existing trees.

Councilman Kidd made a motion to approve Ordinance No. 742-2019, seconded by Councilman Purdom.

Motion passed without opposition.

Mayor Hollarn opened the Public Hearing at 8:03 pm.

7. Case # PZ 2019-05 to conduct a public hearing to receive citizen's comments regarding a Conditional Use Permit to allow for an Automotive Repair Facility. The property is commonly known as 521 S. Broadway with the legal description being Tract 21 of the McKinney & Williams Survey, Abs 636 in the City of Joshua, Johnson County, Texas as requested by John Rodriguez. (Staff Resource: L. Cabrera)

- a. Staff Presentation

Ms. Cabrera gave the members of the Council a brief description of the Conditional Use Permit request and the recommendation of the Planning and Zoning Commission.

- b. Owner's Presentation

John Rodriguez, 222 Hix Road, Cleburne, TX addressed the members of the Council with a short overview of the request.

- c. Those in Favor

No one wished to speak in favor of the request.

- d. Those Against

Billy Shemo, 4009 Running Brook, Joshua, TX addressed the members of the Council against the request.

- e. Owner's Rebuttal

Mr. Rodriguez addressed the members of the Council with assurances that the additional requirements for an automotive repair facility will be adhered to.

Mayor Hollarn closed the Public Hearing at 8:06 pm.

8. Discuss, consider and take action on Ordinance No. 743-2019 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 521 South Broadway in the City of Joshua, Texas, consisting of approximately 0.45 acres of land described by its legal identification of property as Tract 21 of the McKinney and Williams Survey, Abstract 636, in the City of Joshua, Johnson County, Texas, from Restricted Commercial (C-1) to Restricted Commercial (C-1) with a Conditional Use Permit for an Auto Repair Garage;

repealing all conflicting ordinances; providing a severability clause; providing for a penalty; providing for publication; and providing an effective date. (Staff Resource: L. Cabrera)

A brief discussion was held among the members of the City Council, City Staff, and the applicant concerning the condition of the building, oil capturing, and the type of mechanical service to be provided.

Councilman Kimble made a motion to approve Ordinance No. 743-2019, seconded by Mayor Pro-Tem Moore.

Motion passed with a unanimous vote.

Mayor Hollarn opened the Public Hearing at 8:11 pm.

9. Conduct a public hearing regarding an Ordinance of the City Council of the City of Joshua, Texas, amending Subsection 6-7(A), "Parking Table," of Section 6-7, "Off-Street Parking and Loading Requirements," of Article 6, "Supplemental District Regulations," of Chapter 14, "Zoning Ordinance," of the Code of Ordinances; providing a severability clause; providing for publication; providing for a penalty; and providing for an effective date. (Staff Resource: L. Cabrera)

- a. Staff Presentation

Ms. Cabrera gave the members of the Council a brief description of the ordinance amendment and the recommendation of the Planning and Zoning Commission.

- b. Owner's Presentation

No owner's presentation was given.

- c. Those in Favor

No one wished to speak in favor of the ordinance.

- d. Those Against

No one wished to speak against the ordinance.

- e. Owner's Rebuttal

No owner's rebuttal was given.

Mayor Hollarn closed the Public Hearing at 8:13 pm.

10. Discuss, consider and take action on Ordinance No. 744-2019 being an Ordinance of the City Council of the City of Joshua, Texas, amending Subsection 6-7(A), "Parking Table," of Section 6-7, "Off-Street Parking and Loading Requirements," of Article 6, "Supplemental District Regulations," of Chapter 14, "Zoning Ordinance," of the Code of Ordinances; providing a severability clause; providing for publication; providing for a penalty; and providing for an effective date. (Staff Resource: L. Cabrera)

A short discussion was held concerning current parking requirements and additional parking requirements for the use.

Councilwoman Connally made a motion to approve Ordinance No. 744-2019, seconded by Councilman Kidd.

Motion passed without objection.

K. GENERAL ACTION ITEMS

1. Discuss, consider, and take action on Ordinance No. 745-2019 being an Ordinance of the City Council of the City of Joshua, Texas, amending Ordinance No. 738-2019 providing for the appointment of election officers; providing a severability and conflicts clause; and providing for an immediate effective date. (Staff Resource: L. Cabrera)

Ms. Cabrera gave the members of the Council a brief overview of the ordinance and the reasons for the change of judges.

Councilman Purdom made a motion to approve Ordinance No. 745-2019, seconded by Mayor Pro-Tem Moore.

Motion passed without opposition.

2. Discuss, consider, and take action on Ordinance No. 746-2019 being an Ordinance of the City Council of the City of Joshua, Texas, amending Chapter 1, "General Provisions," of the Code of Ordinances of the City of Joshua, Texas, by adding a new Article 1.09, entitled "Authority of City Manager to Execute Certain Agreements and Contracts," relative to the execution of contracts not exceeding the competitive bidding provisions of State Law, change orders and interlocal agreements, as referenced more fully herein; repealing all conflicting ordinances; providing for a severability clause; and providing an effective date. (Staff Resource: J. Jones)

Mr. Jones presented the members of the City Council with a short synopsis of the ordinance.

Councilwoman Connally made a motion to approve Ordinance No. 746-2019, seconded by Councilman Kimble.

Motion passed without objection.

3. Discuss, consider, and take action on Resolution No. 2019-02 being a Resolution of the City Council of the City of Joshua, Texas, to request funds from the U.S. Department of Homeland Security for Grant Funding under the 2018 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program to create three (3) new, paid, full time, firefighter positions; making findings; and providing an effective date. (Staff Resource: W. Baker)

Chief Baker gave a short presentation to the members of the Council concerning the grant and the Resolution for the grant funding.

Mayor Pro-Tem Moore made a motion to approve Resolution No. 2019-02, seconded by Councilman Kidd.

Motion passed without opposition.

4. Discuss, consider, and take action on Ordinance No. 747-2019 being an Ordinance of the City Council of the City of Joshua, Texas amending Section 2.01.001, "Definitions," of Article 2.01, "General Provisions," of Chapter 2, "Animal Control," of the Code of Ordinances of the City of Joshua, Texas; amending Section 2.05.005, "Beekeeping," of Article 2.05, "Other Animals," of Chapter 2, "Animal Control," of the Code of Ordinances of the City of Joshua, Texas; amending Section 2.05.006, "Keeping of Other Animals; Nuisance Conditions," of Article 2.05, "Other Animals," of Chapter 2, "Animal Control," of the Code of Ordinances of the City of Joshua, Texas; providing that this ordinance shall be cumulative of all ordinances; providing a severability clause; providing for a penalty for violations hereof; providing a savings clause; providing for publication in the official newspaper; and providing an effective date. (Staff Resource: J. Jones)

A discussion was held among the members of the Council and City Staff concerning the ordinance amendment regarding the permit, inspections, acreage requirements, and mosquito spraying affecting hives.

Councilman Kidd made a motion to approve Ordinance No. 747-2019, seconded by Councilwoman Connally.

Motion passed without objection.

L. FYI ITEMS

1. Calendars (April - May 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. Garbage Accounts
 - l. Outstanding Liens

A brief discussion was held among the members of the City Council and City Staff concerning the garbage contract bids.

M. EXECUTIVE SESSION

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

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

1. Section 551.072, Deliberation regarding real property

N. RECONVENE IN OPEN SESSION

Mayor Hollarn reconvened into Regular Session at 8:58 pm.

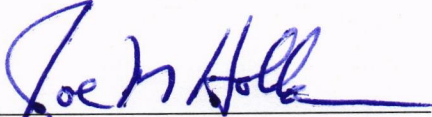
The City Council shall convene in Open Session and may take any action related to discussion in Executive Session.

1. Discuss, consider and take action on real property in accordance with the Executive Session deliberations.

No action was taken.

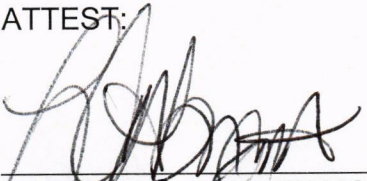
O. ADJOURNMENT

Mayor Hollarn adjourned the meeting at 8:58 pm.



Joe Hollarn, Mayor

ATTEST:



Lisa Dawn Cabrera, TRMC
City Secretary