MINUTES
CITY COUNCIL
REGULAR MEETING
JUNE 17, 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: NA

City Staff Present: Mike Peacock, City Manager; Amber Bransom, Asst. City Manager; Shaun Short, 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/89005460083?pwd=MU5pb3ZWUHpGenptNW1GNkZoWmZsUT09
Meeting ID: 890 0546 0083 Passcode: 831144 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 Breitenstein led the Pledge to the flags.

C. INVOCATION

Chris Copeland, Pastor of True Life Church, led the invocation.

D. WORK SESSION

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

Councilmember Fleming questioned if part of the public works personnel cost was coming out of the EDC budget. City Manager Peacock answered yes.

Councilmember Kimble asked when the miscellaneous account will be corrected. City Manager Peacock stated that the miscellaneous account will be negative until a budget amendment is completed.

2. Review and discuss Planning & Zoning Ordinance Section 5.5.4 Accessory Building Regulations- swimming pool setback requirements. (Staff Resource: A. Maldonado)

   Mr. Daron LeMaster, LeMaster Pools, stated that he has a customer wanting him to install a pool, but our setback requirements are much stricter than in other cities. He said he would like to know if there is a reason or if it has always just been that way. Mayor Hollarn stated he believes it has just been that way for many years.

   Mayor Hollarn and City Council directed staff to prepare an ordinance updating the setback requirements.

3. Review and discuss Code of Ordinance Section 13.04.031-R regarding procedures for littering of grass clippings. (M. Peacock)

   Mayor Hollarn stated that he requested this item to be on the agenda for discussion.

   Councilmember Kimble asked if the City is removing clippings from the street when they mow. City Manager Peacock stated no, staff does not rack and bag grass after cutting. Councilmember Kimble said that we could not force our citizens to do something that we as a City are not doing.

   City Manager Peacock stated that we would move forward with a proactive approach, meaning talking to staff, local landscape businesses and placing information in the newsletter.

4. Review and discuss questions related to the proposed changes to the Employee Policy. (Staff Resource: A. Bransom)

   Asst. City Manager Bransom stated that proposed changes are to the following sections:

   - Better defines current policy, splits out police and fire schedules, and establishes a 14-day pay cycle for the Fire Department.
   - Longevity Pay- The new policy has a recognition section. Mayor Hollarn stated he would like to leave the longevity pay amount up to be discussed during each budget approval process.
   - Holiday Leave- added two additional holidays- personal day and veterans day. Mayor Hollarn stated that he had a problem with a difference in holiday leave between exempt and non-exempt employees.
     Asst. City Manager Bransom stated that she believes exempt employees should be awarded for the extra hours they work. City Attorney Welch noted that some cities give their exempt employees "exempt time." It is a use or lose time that is earned yearly. Mayor Hollarn stated that he would agree to exempt time. Mayor Hollarn asked Asst. City Manager Bransom to get with the city attorney for wording.
   - Employment evaluation- the new policy requires two evaluations per year. The evaluation is performance-based but not decided by the budget.
   - Councilmember Fleming stated he was concerned with the wording regarding lunch breaks. He said that it reads that employees should not expect a lunch break. Councilmember Kimble noted that he understands Councilmember Fleming's concerns. City Attorney Welch stated that he would help with the language to use in the Lunch Break section.

5. Questions regarding Regular Session agenda items.

   No discussion on this item (5).

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. No Council deliberation is permitted. Each person will have 3 minutes to speak.

1. Proclamation recognizing Miss Joshua Outstanding Teen

Mayor Hollarn presented a proclamation to Alexxia Carter, Miss Joshua Outstanding Teen, recognizing her hard work and dedication to young women in this community and throughout the state.

F. CONSENT AGENDA

1. Consider approval of minutes from the City Council Meetings held on May 10, 2021, and May 20, 2021. (Staff Resource: A. Holloway)

   Councilmember Kimble moved to approve the minutes from the May 10, 2021, and May 20, 2021 meeting. Councilmember Kidd seconded the motion. The motion passed unanimously.

2. Consider an Interlocal Agreement with Region 8 Education Service Center to provide cooperative purchasing service. (Staff Resource: M. Peacock)

   Councilmember Kimble requested that this item be separated from the Consent Agenda.

   Councilmember Kimble asked City Manager Peacock if there is a cost associated with the agreement. City Manager Peacock stated that there was no cost involved.

   Councilmember Kidd moved to approve an Interlocal Agreement with Region 8 Education Service Center to provide cooperative purchasing. Councilmember DePriest seconded the motion. The motion passed unanimously.

G. REGULAR AGENDA

1. Discuss, consider, and possible action on the appointment of Mayor Pro Tem. (Staff Resource: A. Holloway)

   Councilmember Breitenstein moved to appoint Councilmember Kimble as Mayor Pro Tem. Councilmember Fleming seconded the motion. The motion passed unanimously.

2. Public hearing on a request to rezone a 0.593 acre of land known as Lt. 1, Blk.1, East Hills Addition in the J.H. Cooper Survey, Abstract No. 145, County of Johnson, Texas located at 402 Conveyor Drive to change from (C-1) Restricted Commercial District to the (R2) Two Family Residential District to allow for the construction of a duplex after the property is subdivided. (Staff Resource: A. Maldonado)

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

Mayor Hollarn opened the public hearing on a request to rezone a 0.593 acre of land known as Lt. 1, Blk.1, East Hills Addition in the J.H. Cooper Survey, Abstract No. 145, County of Johnson, Texas located at 402 Conveyor Drive to change from (C-1) Restricted Commercial District to the (R2) Two Family Residential District to allow for the construction of a duplex after the property is subdivided at 7:12 pm.

Staff Presentation – Development Services Director Maldonado read the following statement:

The property was originally platted as Lot 1, Block 1 East Hills Addition. The Future Land Use Map shows this area as a Low-Density Residential area. The property currently has a house facing Conveyor Drive. The subdivision of this lot will require the existing house to meet all setbacks, including the rear yard setback.

This property is zoned C-1, Restricted Commercial.

The proposed development of this property is to allow for the property to be subdivided for the construction of a duplex.

This development will be required to submit engineered construction plans and be required to replat; the City has agreed that these matters may be part of the construction and platting review process.

The proposed request complies with the Future Land Use Plan. Therefore, the Planning & Zoning Commission has made a recommendation for approval on June 7, 2021.

Owner's Presentation - None
Those in Favor - None
Those Against - None
Owner's Rebuttal – None

After no more public comments, Mayor Hollarn closed the public hearing at 7:13 pm.

3. Discuss, consider, and possible action on an Ordinance rezoning a 0.593 acre of land known as Lt. 1, Blk.1, East Hills Addition in the J.H. Cooper Survey, Abstract No. 145, County of Johnson, Texas located at 402 Conveyor Drive to change from (C-1) Restricted Commercial District to the (R2) Two Family Residential District to allow for the construction of a duplex after the property is subdivided. (Staff Resource: A. Maldonado)

   Councilmember Fleming moved to approve an Ordinance rezoning a 0.593 acre of land known as Lt. 1, Blk.1, East Hills Addition in the J.H. Cooper Survey, Abstract No. 145, County of Johnson, Texas located at 402 Conveyor Drive to change from (C-1) Restricted Commercial District to the (R2) Two Family Residential District to allow for the construction of a duplex after the property is subdivided. Councilmember Kidd seconded the motion. The motion passed unanimously.

4. Discuss, consider, and give direction regarding a request from Mountain Valley Country Club to reduce the speed limit to 20 mph on Clubhouse Drive. (Staff Resource: M. Peacock)

   Councilmember Kimble requested to meet in an executive session for private consultation with the city attorney.

   Mayor Hollarn announced that the City Council would recess into Executive Session at 7:15 pm.

   Mayor Hollarn reconvened the meeting into a regular session at 7:18 pm.

City Manager Peacock stated that he had a traffic count report that reported the average speed for 85 percent of vehicles was 32 mph. In addition, he stated that before the change, the average was 31 mph.

The following citizens spoke in favor of reducing the speed limit to 20 mph on Clubhouse Drive.

- Toni Fuller – Ms. Fuller stated it is getting hazardous. She said she doesn't know if changing the speed limit back will help, but the area needs patrol in the area.
- Terri Flynn – Ms. Flynn stated that she almost got hit twice. She said many kids ride their carts in the area, and she is afraid that someone will get hurt. She suggested that blinking signs or speed bumps be installed.
- Tom Donaldson- Mr. Donaldson said he looked at the study, but the golf carts crossing the street are not considered. He stated that someone is going to get hurt. He suggested that speed bumps be installed.

Mayor Hollarn asked City Manager Peacock if we have signs that can be installed. City Manager Peacock state that we do, and he will have them installed. In addition, he stated that he would request extra patrol by the police department.

No action taking on this item.

5. Discuss, consider, and possible action on an Administrative Service Agreement between ICMA Retirement Corporation and City of Joshua adopting a 457b plan to be offered to City employees. (Staff Resource: A. Bransom)

   Councilmember Kimble moved to approve an Administrative Service Agreement between ICMA Retirement Corporation and City of Joshua adopting a 457b plan to be offered to City employees and authorize the City Manager to sign necessary documents. Councilmember Fleming seconded the motion. The motion passed unanimously.

6. Discuss, consider, and possible action on a resolution adopting a new purchasing policy. (Staff Resource: A. Bransom)

   Councilmember Breitenstein moved to approve a resolution adopting a new purchasing policy. Councilmember Nichols seconded the motion. The motion passed unanimously.

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

   After discussion, staff was directed to make changes as discussed during the work session and bring the policies back to the city council for consideration.

8. Discuss, consider, and possible action on implementing Citi Purchasing Cards (P-Cards). (Staff Resource: A. Bransom)

   Councilmember Kidd moved to authorize city staff to implement the use of Citi Purchasing Cards. Councilmember Kimble seconded the motion. The motion passed unanimously.

9. Discuss, consider, and possible action on board appointments. (Staff Resource: A. Holloway)

   Councilmember Breitenstein moved to appoint Aleshia Hayes to the Type A EDC Corporation. Councilmember Kidd seconded the motion. The motion passed. Councilmember Kimble abstained.

H. STAFF REPORT

May 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

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. Any Councilmember may, however, state an issue and a request that this issue be placed on a future agenda.

Park Naming Policy
School zone request near Joshua Christian Academy

L. ADJOURNMENT

Mayor Hollarn adjourned the meeting at 8:38 PM.

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Joe Hollarn, Mayor

ATTEST:

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Alice Holloway, TRMC
City Secretary

Approved: July 157, 2021