



**City Council Meeting  
Minutes  
Work Session 6:30 p.m.  
Regular Session 7:00 p.m.  
August 21, 2007**

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**Council Present:** Mayor Breitenstein, Council Member Walden, Council Member Neely, Council Member Maxfield, Council Member Tallent, Council Member Martini (arrived at 6:40 p.m.)

**Absent:** Council Member Smallwood

**City Staff Present:** Paulette Hartman, City Manager; Betsy Elam, City Attorney; Paul Waldrip, Chief of Police; Mary Beth Thomas, City Secretary; Duwayne Capps, Fire Chief; Carla Bonham, Municipal Court; LaDonna Davis, Finance; Lawrence Robbins, Management Assistant

Mayor Breitenstein announced a quorum was present and called the Work Session to order at 6:35 p.m.

Mayor Breitenstein welcomed Ksusha Kozhina, a foreign exchange student from Russia, who will be attending Joshua High School. Miss Kozhina is living with LaDonna Davis's family.

**I. Work Session – 6: 30 pm.**

**A. Items Discussed Regarding Staff Reports Were:**

Council Member Tallent inquired on who maintains the drainage ditches on County Road 1022.

Council Member Maxfield thanked the Street Department for all the mowing that has been done.

Council Member Walden inquired about the status of the bridge on County Road 909.

Council Member Tallent inquired about the necessity of having the Animal Control office opened on Saturdays.

Paulette, Hartman, City Manager, briefed Council Members on the status of the bridge on County Road 909.

**B. Review And Discuss Status Of City Manager Work Plan Including Review Of Detailed Work Plan Created As A Result Of The Council Strategic Planning Work**

**Session, Report Of Activities Last Month, Reminder Of Upcoming Budget Work Sessions, And Status Of Drilling Permits.**

Paulette Hartman, City Manager, briefed Council Members on various projects and upcoming meetings.

**C. Review And Questions Related To The Budget Report And Financial Statements For The Month Of July 2007.**

Council Member Maxfield inquired about line items that appeared to be over budget.

City Manager Hartman noted that although various departmental line items are over, total expenditures for each department are within budget. Line item overages will be reconciled with the end of year budget amendments.

**D. Update On The Status Of TxDOT's FM 917 Bridge Project And Review And Discuss Proposed New Alternative 6.**

Paulette Hartman, City Manager, briefed Council Members and audience members regarding the new proposed Alternative 6. General consensus among Council Members was agreement with Alternative 6 for TxDOT's FM 917 bridge project. Ms. Hartman noted that TxDOT will hold public meetings regarding the proposed alternatives in the future.

**E. Requests For Future Reports And Agenda Items.**

There were none.

There being no further business the work session recessed at 7:09 p.m.

**II. Regular Session - 7:00 p.m.**

Mayor Breitenstein called the regular session to order at 7:16 p.m.

Absent: Council Member Smallwood

**A. Invocation was given by Joshua Volunteer Fire Department Chaplain Jesse Davis.**

**B. Pledge of Allegiance was led by Council Member Maxfield.**

**C. Public Forum:**

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 Meeting Act to limit its response to responding with a statement of specific factual

information, reciting the City's existing policy on that issue, or directing the person making the inquiry to visit with City Staff about the issue. No Council deliberation is permitted.

Jesse Davis, spoke on behalf of the Joshua Volunteer Fire Department. The Fire Department is implementing a program to collect workable bicycles, clean them up and give them to deserving children for Christmas. They have collected approximately 15 bicycles already.

#### **D. Proclamation & Special Presentations:**

There were none.

#### **E. Consent Agenda:**

All items under this section are recommended for approval on the "Consent Agenda". These items are of a routine nature and require only brief deliberation by the Council. The City Staff has briefed the Council on these items. Approval of the consent agenda authorizes the City Manager to implement each item in accordance with staff recommendation. The Mayor and Council may remove items on the consent agenda upon request.

1. Approval of Minutes for the July 17, 2007 Regular Session.
2. Approval of Minutes for the August 2, 2007 Special Session.

Council Member Walden made a motion to approve the consent agenda. Council Member Tallent seconded the motion.

**Motion Carried - 6-0.** Absent: Council Member Smallwood

#### **F. Action & Discussion Items.**

The regular session recessed and a public hearing was opened at 7:22 p.m.

#### **1. Convene A Public Hearing To Obtain Public Input Regarding A Request For A Re-Plat Of Lots 31 And 32, Mountain Valley Subdivision, Unit 4 To Lot 32R, Mountain Valley Subdivision Unit 4, More Commonly Known As 302 Village Creek Ct.**

##### **A. Applicant's Statement.**

Eddie Ward, 302 Village Creek Ct., presented his request.

##### **B. Staff Comments.**

Paulette Hartman, City Manager, presented this item.

##### **C. Those In Favor.**

No one spoke at this time.

D. Those Against.  
No one spoke at this time.

E. Applicant's Rebuttal.  
None required.

F. Adjournment.  
The public hearing recessed and the regular meeting reconvened at 7:24 pm.

**2. Discuss, Consider And Act Regarding A Re-Plat Request Of Lots 31 And 32, Mountain Valley Subdivision Unit 4 To Lot 32R, Mountain Valley Subdivision Unit 4, More Commonly Known As 302 Village Creek Ct. (Hartman)**

Paulette Hartman, City Manager, presented this item. After a brief discussion, Council Member Martini made a motion to approve the re-plat request. Council Member Maxfield seconded the motion.

**Motion Carried - 6-0.** Absent: Council Member Smallwood

The regular meeting recessed and a public hearing was opened at 7:27 p.m.

**3. Convene A Public Hearing To Obtain Public Input Regarding A Request For A Re-Plat Of Lots 13 And 14, Block 2, Oak Knoll Addition To Lot 13R, Block 2, Oak Knoll Addition, More Commonly Known As 203 S. Broadway.**

A. Applicants Statement  
The applicant was not in attendance.

B. Staff Comments  
Paulette Hartman, City Manager, presented this item.

C. Those In Favor  
No one spoke at this time

D. Those Against  
No one spoke at this time.

E. Applicants Rebuttal  
None required

F. Adjournment.  
Council Member Neely made a motion to continue the public hearing until the September 18, 2007 Council Meeting. Council Member Maxfield seconded the motion.

**Motion Carried - 6-0.** Absent: Council Member Smallwood

A public hearing was opened at 7:29 p.m.

**4. Convene A Public Hearing To Obtain Public Input Regarding A Request To Change The Zoning From P/OS - Parks & Open Spaces; PB -Public Uses; IND - Industrial; And RC - Retail Community To MXR - Mixed Use Residential On 47 Acres Of Land In The George Casseland Survey, Abstract No. 173 Located Approximately In The 1200 Block On The West Side Of Hwy 174, More Commonly Known As Tax Increment Finance District #1 (Joshua Station Overlay District).**

A. Applicants Statement

The applicant was not in attendance.

B. Staff Comments.

Paulette Hartman, City Manager, presented this item.

C. Those in Favor

No one spoke at this time.

D. Those Against

No one spoke at this time

E. Applicants Rebuttal

None required

F. Adjournment.

Council Member Walden made a motion to continue this public hearing at the September 18, 2007 City Council Meeting. Council Member Martini seconded the motion.

**Motion Carried - 6-0.** Absent: Council Member Smallwood

A public hearing was opened at 7:32 p.m.

**5. Convene A Public Hearing To Obtain Public Input Regarding Proposed Budget For Fiscal Year 2007/2008.** (Hartman)

Paulette Hartman, City Manager, presented this item. After a brief discussion the public hearing closed at 7:46 p.m. No one from the audience spoke during the public hearing

A public hearing was opened at 7:47 p.m.

**6. Convene A Public Hearing To Obtain Public Input Regarding Proposed Tax Rate For Fiscal Year 2007/2008 Of \$0.656219.** (Hartman)

Paulette Hartman, City Manager, presented this item. After a brief discussion the public hearing closed at 7:49 p.m. No one from the audience spoke during the public hearing.

**7. Discuss, Consider And Act Regarding A Preliminary Plat For Lot 1 & 2, Block 1, Westfall Addition.** (Hartman)

Paulette Hartman, City Manager, presented this item. Council Member Tallent made a motion to approve the preliminary plat for Lots 1 & 2, Block 1, Westfall Addition. Council Member Walden seconded the motion.

**Motion Carried - 6-0.** Absent: Council Member Smallwood

**8. Discuss, Consider And Act Regarding A Final Plat For Lot 1 & 2, Block 1, Westfall Addition.** (Hartman)

Paulette Hartman, City Manager, presented this item. Council Member Walden made a motion to approve the final plat for Lots 1 & 2, Block 1, Westfall Addition. Council Member Maxfield seconded the motion.

**Motion Carried - 6-0.** Absent: Council Member Smallwood

**9. Consideration And Approval Of A Resolution By The City Council Of The City Of Joshua, Texas Authorizing And Approving Publication Of Notice Of Intention To Issue Certificates Of Obligation; Complying With The Requirements Contained In Securities And Exchange Commission Rule 15c2-12; And Providing An Effective Date.** (Hartman)

Paulette Hartman, City Manager, introduced Ryan Cunningham with Southwest Securities, who presented this item. After discussion, Council Member Tallent made a motion to approve the resolution authorizing and approving publication of notice of intention to issue certificates of obligation. Council Member Martini seconded the motion.

**Motion Carried - 6-0.** Absent: Council Member Smallwood

The regular session recessed at 8:10 p.m.

**III. Executive Session**

The executive session convened at 8:15 p.m.

The City Council shall convene in closed session in accordance with the Texas Government Code section 551 to discuss the following:

A. § 551.072. Deliberation regarding value and purchase of real property in the Tax Increment Financing District (Joshua Station Overlay District).

B. §551.087 Deliberation regarding Economic Development Negotiations related to a development project in the Tax Increment Financing District (Joshua Station Overlay District).

The executive session recessed at 8:45 p.m.

The regular session reconvened at 8:52 p.m.

**IV. Reconvene In Open Session:** The City Council shall reconvene in open session to take action on items discussed in Executive Session as necessary.

No action taken.

There being no further business the meeting adjourned at 8:52 p.m.

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Merle Breitenstein, Mayor  
City of Joshua, Texas

**ATTEST:**

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Mary Beth Thomas, City Secretary  
City of Joshua, Texas