



**City Council Meeting
Minutes
Work Session 6:30 p.m.
Regular Session 7:00 p.m.
June 19, 2008**

Council Present: Mayor Breitenstein, Council Member Walden, Council Member Neely, Council Member Maxfield, Council Member Smallwood, Council Member Isom, Council Member Tallent

Absent: None

City Staff Present: Paulette Hartman, City Manager; Betsy Elam, City Attorney; Annabeth Robertson, Lieutenant; Mary Beth Thomas, City Secretary; Carla Bonham, Municipal Court Clerk; Bruce Hewett, Street Department; Nader Jeri, Building Official; Duwayne Capps, Fire Chief; Greg Saunders, City Engineer; Dan Boutwell, City Planner; LaDonna Davis, Finance; Mike Peacock, Management Assistant

Mayor Breitenstein announced a quorum was present and called the Work Session to order at 6:32 p.m.

I. Work Session – 6:30 pm

A. Review and discuss current sign ordinance and enforcement procedures.

Nader Jeri, Building Official, presented a basic overview of the current sign ordinance and enforcement procedures.

B. Review and discuss street index and condition ratings.

Paulette Hartman, City Manager, presented an overview of the street index and condition ratings prepared by Bruce Hewett, Street Supervisor.

C. Items discussed regarding staff reports:

Council Member Walden inquired if there was a follow-up to the dog attacks on Sheila.

D. 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, Status Of Drilling Permits And Report Of Gas Well Permit Locations.

Paulette Hartman, City Manager, reviewed with Council Members her staff report.

E. Review And Questions Related To The Budget Report And Financial Statements For The Month Of May 2008.

There was no discussion.

F. Requests For Future Reports And Agenda Items.

Council Member Smallwood requested an update on the boundary issues.

There being no further business the work session recessed at 7:05 p.m.

II. Regular Session – 7:00 p.m.

Mayor Breitenstein called the regular session to order at 7:10 p.m.

A. Invocation was given by Council Member Neely.

B. Pledge of Allegiance and the Texas Pledge was led by Ashley Clifton.

At this time, Mayor Breitenstein moved Item #D up on the agenda.

D. Proclamations & Special Presentations;

1. Proclamation in honor of the Joshua Lady Owls Softball Team.

Council Member Tallent read a proclamation recognizing June 19, 2008 as Joshua Lady Owls Softball Team day in Joshua.

2. Recognition of Planning & Zoning Commission Members – Mike Peacock, Ron Howard and Butch Isom.

Mayor Breitenstein recognized Mike Peacock, Ron Howard and Butch Isom for their service on the Planning & Zoning Commission.

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 Meetings 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.

Pam Grissom, 307B E. 12th St. Joshua, TX spoke regarding the proposed revised sign ordinance.

Connie Motheral, 307B E. 12th St., Joshua, TX spoke regarding the proposed revised sign ordinance.

Doug Adams, 910 S. Crowley Rd. #9-514, Crowley, TX spoke regarding the proposed revised sign ordinance.

Paul Lamb, 3561 Wedgway Dr., Ft. Worth, TX spoke regarding the proposed revised sign ordinance.

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 May 15, 2008 Regular Session.

2. Approval of Minutes for the May 20, 2008 Special Session.

3. Approval of Final Payment to MHS Planning for Update of the City's Parks and Open Space Master Plan Using 4B Funds.

4. Approval of a Proposal From MHS Planning For Preparation Of A Grant Application To The Texas Parks & Wildlife Department For The Acquisition Of Park Land and Construction Of The City's First Park.

Council Member Walden made a motion to approve the consent agenda. Council Member Maxfield seconded the motion. The vote was as follows:

Ayes: Mayor Breitenstein, Council Member Walden, Council Member Smallwood, Council Member Maxfield, Council Member Tallent, Council Member Neely

Abstention: Council Member Isom

Motion Carried – 6-1.

F. Action and Discussion Items:

1. Elect Mayor Pro-Tem. (Council)

Council Member Maxfield made a motion to nominate Glen Walden as Mayor Pro-Tem. Council Member Neely seconded the motion. The vote was as follows:

Ayes: Mayor Breitenstein, Council Member Isom, Council Member Smallwood, Council Member Maxfield, Council Member Tallent, Council Member Neely

Abstention: Council Member Walden

Motion Carried – 6-1.

2. Discuss, Consider And Act Regarding An Ordinance Authorizing The Issuance Of “City Of Joshua, Texas Combination Tax And Limited Pledge Revenue Certificates Of Obligation, Series 2008”; Providing For The Payment Of Said Certificates By The Levy Of An Ad Valorem Tax Upon All Taxable Property Within The City And Further Securing Said Certificates By A Lien On And Pledge Of The Pledged Revenues Of The System; Providing The Terms And Conditions Of Said Certificates And Resolving Other Matters Incident And Relating To The Issuance, Payment, Security, Sale, And Delivery Of Said Certificates; Authorizing The Execution Of A Paying Agent/Registrar Agreement And A Purchase And Investment Letter; Complying With The Requirements Of The Letter Of Representations With The Depository Trust Company; And Providing An Effective Date. (Hartman)

Ryan Cunningham, Southwest Securities, presented this item. After a brief discussion, Council Member Smallwood made a motion to approve the ordinance. Council Member Tallent seconded the motion.

Motion Carried – 7-0.

3. Continue Discussion, Consider And Act Regarding An Ordinance Of The City Of Joshua, Texas, Amending Ordinance No. 366-2003, The Zoning Ordinance And The Official Zoning Map Of The City To Reflect A Rezoning Of Certain Property To A Planned Development Zoning District For Single Family Residential; Providing That This Ordinance Be Cumulative Of All Ordinances; Providing A Severability Clause; Providing A Penalty For Violations; Providing A Savings Clause; Providing For Publication In The Official Newspaper; And Providing An Effective Date. (Hartman)

Paulette Hartman, City Manager, presented the history of this item. After a lengthy discussion Mayor Breitenstein made a motion to table this item until the July 17th Council meeting in order for the applicant to resolve several issues. Council Member Walden seconded the motion.

Motion Carried – 7-0.

4. Discuss, Consider And Act Regarding Vacation Of Lots 1 Thru 7, Block 1, East Chase Addition And Lots 1 Thru 5, Block 2, East Chase Addition As Recorded On A Plat Filed Of Record In Volume 6, Page 10 Of The Deed Records Of Johnson County. (Hartman)

Paulette Hartman, City Manager, presented this item. After a brief discussion, Council Member Smallwood made a motion to approve the vacation of Lots 1-7, Block 1, East Chase Addition and Lots 1-5, Block 2, East Chase Addition. Council Member Tallent seconded the motion.

Motion Carried – 7-0.

5. Discuss, Consider And Act Regarding A Final Plat Of Lots 1-51, Block 1, Joshua Crossing Subdivision, More Commonly Known As 531 Cooper Lane. (Hartman)

Paulette Hartman, City Manager, presented this item. After a brief discussion, Council Member Walden made a motion to accept the final plat with the stipulation that the final plat does not get recorded at the County until the City Engineer approves the engineering plans. Council Member Isom seconded the motion. The vote was as follows:

Ayes: Mayor Breitenstein, Council Member Isom, Council Member Walden, Council Member Smallwood, Council Member Maxfield, Council Member Neely

Nays: Council Member Tallent

Motion Carried - 6-1.

6. Discuss, Consider And Act Regarding An Ordinance Of The City Of Joshua Repealing Ordinance No. 402-2006 In Its Entirety And Providing For The Comprehensive Regulation Of Signs; Providing For Definitions; Providing For Administration And Enforcement; Providing For The Issuance And Revocation Of Sign Permits; Providing For The Removal Of Signs; Providing For Appeals And Variances; Providing For Limitations On The Location, Setback, Height, Size, Lighting And Other Regulations Of Signs; Prohibiting Certain Signs; Providing For Exempt Signs; Allowing Noncommercial Copy On Signs; 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. (Hartman)

Paulette Hartman, City Manager, briefed Council Members on the proposed revisions to the sign regulations.

The regular session recessed and convened into executive session at 8:55 p.m. pursuant to section 551.071 of the Texas Government Code to receive advice from the City Attorney regarding legal issues related to the proposed sign regulations.

The executive session recessed and the regular session reconvened at 9:04 p.m.

After more discussion and direction to staff from the Council regarding proposed regulations, Council Member Walden made a motion to table this item until the July 17th Council meeting. Council Member Isom seconded the motion.

Motion Carried – 7-0.

7. Discuss, Consider And Act Regarding Appointment To The Planning And Zoning Commission Three Vacant Seats. (Council)

Council Member Smallwood made a motion to appoint Brad Moravec, Angela McFarland and Robert Browder to the Planning & Zoning Commission. Council Member Walden seconded the motion.

Motion Carried – 7-0.

8. Discuss, Consider And Act Regarding Re-Appointment To The 4B Economic Development Corporation Board. (Council)

Council Member Tallent made a motion to re-appoint Cameron Smallwood, Bob Neely and Jerry Moore to the 4B Economic Development Board. Council Member Smallwood seconded the motion. The vote was as follows:

Ayes: Mayor Breitenstein, Council Member Isom, Council Member Smallwood, Council Member Walden, Council Member Maxfield, Council Member Tallent

Abstention: Council Member Neely

Motion Carried - 6-1.

9. Discuss, Consider And Act Regarding Calendar For Preparation Of The Budget For The 2008/2009 Fiscal Year. (Hartman)

Paulette Hartman, City Manager, presented this item. Council Member Neely made a motion to approve the dates of July 31, 2008 and August 7, 2008 as dates for budget work sessions and hearings. Mayor Breitenstein seconded the motion.

Motion Carried – 7-0.

The regular session recessed and an executive session convened at 9:25 p.m.

Pursuant to Section 551.071 of the Texas Government Code, the City Council reserves the right to consult in closed session with its attorney and to receive legal advice regarding any item listed on this agenda.

III. Executive Session: The City Council shall convene in closed session in accordance with the Texas Local Government Code Section 551 to discuss the following:

A. §551.072 Deliberation regarding value and purchase of real property.

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

City Council reconvened into open session at 10:10 pm.

Council Member Tallent made a motion to authorize the City Manager to execute closing documents on property on S. Main Street. Council Member Smallwood seconded the motion.

Motion Carried – 7-0.

V. Adjournment.

There being no further business the meeting adjourned at 10:15 p.m.

Merle Breitenstein, Mayor

City of Joshua, Texas

ATTEST:

Mary Beth Thomas, City Secretary
City of Joshua, Texas