



**City Council Meeting
Minutes
Work Session 6:30 p.m.
Regular Session 7:00 p.m.
November 20, 2008**

Council Present: Mayor Breitenstein, Council Member Neely, Council Member Isom, Council Member Smallwood, Council Member Walden, Council Member Maxfield, Council Member Tallent (arrived at 6:42 pm)

Absent: None

City Staff Present: Paulette Hartman, City Manager; Betsy Elam, City Attorney; Annabeth Robertson, Interim Chief of Police; Mary Beth Thomas, City Secretary; Bruce Hewett, Street Superintendent; Nader Jeri, Building Official; LaDonna Davis, Finance and Human Resources Manager; Mike Peacock, Management Assistant; Carla Bonham, Court Clerk; Dwayne Capps, Fire Chief; Dan Boutwell, City Planner

Mayor Breitenstein announced a quorum was present and called the Work Session to order at 6:30 p.m.

A. Discuss City Manager Work Plan Report And Staff Reports And Receive Direction From The City Council Regarding Frequency Of Reports.

Paulette Hartman, City Manager, presented this item. After discussion, general consensus was to move staff reports to a quarterly schedule.

B. Discuss Possible Dates And Plan For Council Strategic Planning Session.

Paulette Hartman, City Manager, presented this item. After discussion the date of January 29, 2009 was chosen as the date for Council Strategic Planning Session.

C. Review Status Of Proposed Changes To Animal Control Ordinance.

Paulette Hartman, City Manager, and Annabeth Robertson, Interim Chief of Police, updated Council on the status of the proposed changes to the animal control ordinance.

D. Update On Status Of Codification Progress.

Betsy Elam, City Attorney, updated Council on the status of the codification process.

E. Update On Status Of Enforcement Efforts Under New Sign Ordinance.

Paulette Hartman, City Manager, and Nader Jeri, Building Official, updated Council on the enforcement efforts under the new sign ordinance.

F. Review And Discuss Status Of City Manager Work Plan Including Review Of Policy Action Items, Management Action Items, Activities Last Month, And Questions Related To Drilling Permits.

There was no discussion.

G. Questions Related To Staff Reports Including:

There was no discussion.

H. Review And Questions Related To The Budget Report And Financial Statements For The Month Of October 2008.

There was no discussion.

I. Request For Future Reports And Agenda Items.

There were no requests.

The work session recessed at 6:57 p.m.

II. Regular Session – 7:00 p.m.

Mayor Breitenstein called the regular session to order at 7:04 p.m.

A. Invocation was given by Council Member Neely.

B. Pledge of Allegiance and the Texas Pledge was led by Mayor Breitenstein.

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.

Larry Taylor, 705 SW 24th, Joshua, Texas spoke regarding burn permits.

D. Proclamations & 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 October 16, 2008 Regular Session.**
- 2. Authorize City Manager To Sign Services Agreement With Blackboard Connect Inc.**
- 3. Authorize City Manager To Sign Agreement For Services For Kiosk Sign Construction, Installation And Management With Baker Clearview Operating, LLC.**

4. Ratify City Manager's Signature On Contract With Hill's Pet Nutrition To Provide Food For The Animal Shelter.

Council Member Maxfield made a motion to approve Items 1, 2 and 4 of the consent agenda and remove Item #3. Council Member Tallent seconded the motion.

Motion Carried – 7-0.

Item #3 – Authorize City Manager To Sign Agreement For Services For Kiosk Sign Construction, Installation And Management With Baker Clearview Operating, LLC.

After discussion, Council Member Smallwood made a motion to approve the agreement. Council Member Walden seconded the motion.

Motion Carried – 7-0.

F. Action and Discussion Items:

1. Discuss, Consider And Act Regarding Contract With MHS Planning For Design Of City Park.
(Hartman)

Paulette Hartman, City Manager, presented this item. After a brief discussion, Council Member Smallwood made a motion to approve the contract. Council Member Isom seconded the motion.

Motion Carried – 7-0.

2. Discuss, Consider And Act Regarding Contract With ORASI Development For Economic Development Services To Be Funded With The 4B Economic Development Sales Tax. (Hartman)

Paulette Hartman, City Manager, presented this item. After discussion, Council Member Walden made a motion to approve the contract. Council Member Neely seconded the motion.

Motion Carried – 7-0.

At this time, Mayor Breitenstein announced that Items 3, 4, and 5 would be pulled from the agenda and discussed at a Special Session to be held on Monday, Nov. 24, 2008.

3. Discuss, Consider And Act Upon Contract With Teague, Nall & Perkins For Design Of Joshua Station Park And Ride Facility. (Hartman)

4. Discuss, Consider And Act Upon Joshua Station Developer's (Joshua Bobos, Ltd.) Recommendation For Contractor And Bids For Construction Of Joshua Station Blvd. In Accordance With Road Development Agreement Between The Joshua 4A Economic Development Corporation And Joshua Bobos, Ltd. (Hartman)

5. Discuss, Consider And Act Upon Amendments To The 4A Economic Development Corporation Budget And Project Expenditures Related To The Construction Of Joshua Station Blvd.
(Hartman)

6. Discuss, Consider And Act Regarding Interlocal Agreement For Road Repairs With Johnson County. (Hartman)

Paulette Hartman, City Manager, presented this item. After a brief discussion, Council Member Tallent made a motion to approve the interlocal agreement. Council Member Maxfield seconded the motion.

Motion Carried – 7-0.

7. Discuss, Consider And Act Regarding City Of Joshua Legislative Priorities Related To Upcoming State Legislative Session. (Hartman)

Paulette Hartman, City Manager, presented this item. After a brief discussion, Council Member Tallent made a motion to approve and adopt the legislative priorities as submitted. Council Member Isom seconded the motion.

Motion Carried – 7-0.

8. Discuss, Consider And Act Regarding A Resolution Opposing The Continued Preemption Of Municipal Regulation Of Certain Intra-State Gas Utilities; Urging Legislative Action To Permit Greater Local Regulatory Oversight; And Providing An Effective Date. (Hartman)

Paulette Hartman, City Manager, presented this item. After a brief discussion, Council Member Smallwood made a motion to approve the resolution. Council Member Walden seconded the motion.

Motion Carried – 7-0.

9. Discuss And Review Of Revised City Of Joshua Comprehensive Zoning Ordinance And Set Date For Public Hearing Regarding Same. (Hartman)

Paulette Hartman, City Manager, presented this item. There was considerable discussion on the revisions.

The regular meeting recessed at 9:17 p.m.

The regular meeting reconvened at 9:22 p.m.

Discussion continued on the proposed revisions to the zoning ordinance. Council Member Walden made a motion to set the date of December 18, 2008 at the Joshua High School Cafeteria for a public hearing on proposed revisions to the zoning ordinance. Council Member Tallent seconded the motion.

Motion Carried – 7-0.

10. Discuss And Review Proposed Revisions To The Official Zoning Map Of The City Of Joshua And Set Date For Public Hearing Regarding Same. (Hartman)

Paulette Hartman, City Manager, presented this item. After discussion, Council Member Tallent made a motion to set the date of December 18, 2008 at the Joshua High School Cafeteria for a public hearing on the proposed revisions to the zoning map. Council Member Smallwood seconded the motion.

Motion Carried – 7-0.

11. Discuss, Consider And Act Regarding An Ordinance Of The City Of Joshua Repealing Ordinance No. 125-80 In Its Entirety; Regulating Certain Sales Of Personal Items At A Residence Or Other Property; Providing Definitions; Providing Regulation Of Signs; Providing A Severability Clause; Providing A Penalty Clause; Providing For Publication; Providing An Effective Date; Providing For Engrossment And Enrollment. (Hartman)

Paulette Hartman, City Manager, presented this item. Mrs. Hartman stated the proposed revisions are to make the garage sale ordinance be consistent with the newly adopted sign ordinance. Council Member Smallwood made a motion to approve the ordinance as submitted. Council Member Walden seconded the motion. The vote was as follows:

Ayes: Council Members Maxfield, Smallwood, Walden

Nays: Council Members Tallent, Breitenstein, Neely, Isom

Motion Failed – 4-3.

12. Discuss, Consider And Act Regarding An Ordinance Adopting Curfew Hours For Minors; Making It An Offense For Minors, Parents And Guardians Of Minors, And Business Establishments To Violate Curfew Regulations; Defining Terms; Providing Defenses; Providing For Enforcement By The Police Department; Providing For Waiver By The Municipal Court Of Jurisdiction Over A Minor When Required Under The Texas Family Code; 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 Pamphlet Form; Providing For Publication In The Official Newspaper; And Providing An Effective Date. (Hartman)

Paulette Hartman, City Manager, and Annabeth Robertson, Interim Chief of Police, presented this item. After a brief discussion, Council Member Tallent made a motion to adopt the ordinance. Council Member Maxfield seconded the motion.

Motion Carried – 7-0.

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.

The regular session did not convene in executive session.

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. §551.087 Economic Development Negotiations Related To Joshua Station Development.

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

V. Adjournment.

There being no further business the meeting adjourned at 10:58 p.m.

Merle Breitenstein, Mayor
City of Joshua, Texas

ATTEST:

Mary Beth Thomas, City Secretary
City of Joshua, Texas