



**City Council Meeting  
Minutes  
Work Session 6:30 p.m.  
Regular Session 7:00 p.m.  
December 18, 2008**

**Council Present:** Mayor Breitenstein, Council Member Neely, Council Member Isom, Council Member Walden, Council Member Maxfield, Council Member Tallent (arrived at 7:43 pm), Council Member Smallwood (arrived at 8:25 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; 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. 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.**

Paulette Hartman, City Manager, presented this item.

During the presentation Santa arrived to deliver presents to the Council Members.

**B. Questions Related To Staff Reports.**

There was no discussion.

**C. Review And Questions Related To The Budget Report And Financial Statements For The Month Of November 2008.**

There was no discussion.

**D. Request For Future Reports And Agenda Items.**

There were no requests.

The work session recessed at 6:52 p.m.

**II. Regular Session – 7:00 p.m.**

Mayor Breitenstein called the regular session to order at 7:00 p.m.

**A. Invocation was given by Council Member Neely.**

**B. Pledge of Allegiance and the Texas Pledge was led by Council Member Isom.**

**C. Proclamation & Special Presentations:**

**1. Swearing in of Joshua Police Chief Annabeth Robertson.**

Sheriff Bob Alford conducted the swearing in of Annabeth Robertson.

**D. 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.

Bret Ballard, 713 N. Cummings Dr., Alvarado, Texas spoke regarding tattoo parlors.

Mike Kidd, 1132 Stadium, Joshua, Texas spoke regarding the regulation of trailers.

**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 November 20, 2008 Regular Session.**

**2. Approval Of Minutes For The November 24, 2008 Special Session.**

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

**Motion Carried – 5-0.** Absent: Council Members Tallent and Smallwood

**F. Action and Discussion Items:**

**1. Discuss And Review Report Of Orasi Development Plan Of Action And Survey With Council.**  
(Hartman)

Paulette Hartman, City Manager, presented this item.

The regular session recessed and a public hearing was opened at 7:17 pm.

**2. Convene A Public Hearing To Obtain Public Input Regarding Revision Of The City Of Joshua Comprehensive Zoning Ordinance And Revision Of The Zoning Map To Change The Zoning Of Certain Properties.**

**A. Applicant/Staff Comments**

Paulette Hartman, City Manager, presented this item.

**B. Those In Favor**

Mike Kidd, 1132 Stadium Dr., Joshua, Texas

C. Those Against

Evelyn Johnson, 4151 Cypress Garden Ct., Fort Worth, TX only had a question.

D. Applicant/Staff Rebuttal

None required.

E. Adjournment

The public hearing recessed and the regular session reconvened at 7:34 pm.

- 3. Discuss, Consider And Act Regarding An Ordinance Establishing Zoning Districts, Regulating And Restricting The Location And Use Of Buildings, Structures And Land For Trade, Industry, Residence, Or Other Purposes, The Height, Number Of Stories, And Size Of Buildings And Other Structures, The Size Of Yards And Other Open Spaces, By Density Of Population, By Erection, Construction, Reconstruction, Alteration, Repair, Or Use Of Buildings, Structures And Land Within Such Districts; Adopting A Zoning Map; Providing For Method Of Enforcement, And Prescribing Penalties For The Violation Of The Provision Of The Ordinance; Providing For A Certificate Of Occupancy And Compliance; Defining Certain Words And Providing For The Interpretation Of The Ordinance; Providing For Amendments And Changes; Providing For Publication In Pamphlet Form; Containing A Penalty Clause; A Severability Clause; A Savings Clause And Providing An Effective Date. (Hartman)**

Paulette Hartman, City Manager, presented this item. After a brief discussion, Council Member Maxfield made a motion to approve the zoning ordinance and zoning map with a correction of – Section 6-7, Off-Street Parking and Loading Requirements, C, #5 (f) delete this sentence. Council Member Neely seconded the motion.

**Motion Carried – 6-0**

Absent: Council Member Smallwood

- 4. Discuss, Consider And Act Regarding An Ordinance Of The City Of Joshua, Texas, Establishing A Zoning Board Of Adjustment; Providing For The Membership Of The Board And Terms Of Board Members; Providing The Powers And Duties Of The Board; Providing That This Ordinance Shall Be Cumulative Of All Ordinances; Providing A Severability Clause; Providing For 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 this item. After a brief discussion, Council Member Walden made a motion to approve the ordinance. Council Member Maxfield seconded the motion.

**Motion Carried – 6-0.**

Absent: Council Member Smallwood

- 5. Discuss, Consider And Act Regarding Memo Of Understanding Prepared By Franklin Legal Regarding The Codification Process. (Hartman)**

Paulette Hartman, City Manager, presented this item. No action was taken.

- 6. Discuss, Consider And Act Regarding Appointment To The 4B Economic Development Corporation Board. (Hartman)**

Paulette Hartman, City Manager, presented this item. No action was taken.

The regular meeting recessed at 7:59 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.

The Executive Session convened at 8:09 pm.

**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.
- B. §551.072 Real Property To Deliberate The Value And Purchase Of Real Property For the placement of the north city entryway sign.
- C. §551.074 Personnel Matters Related To Evaluation of the city manager.

Executive Session recessed and the regular session reconvened at 8:40 pm.

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

Council Member Tallent made a motion to authorize the City Manager to purchase real estate not to exceed 5000 sq. ft. Council Member Walden seconded the motion.

Motion Carried – **7-0.**

**V. Adjournment.**

There being no further business the meeting adjourned at 8:41 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