



**City Council Meeting  
Minutes  
Work Session 6:30 p.m.  
Regular Session 7:00 p.m.  
February 21, 2008**

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

**Absent:** None

**City Staff Present:** Paulette Hartman, City Manager; Betsy Elam, City Attorney; Paul Waldrip, Chief of Police; Mary Beth Thomas, City Secretary; Carla Bonham, Municipal Court Clerk; Bruce Hewitt, Street Department; Nader Jeri, Building Official; Dwayne Capps, Fire Chief; Lawrence Robbins, Management Analyst

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

**I. Work Session – 6:30 pm**

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

Council Member Tallent had questions regarding the Police Department reports and the Fire Department reports.

Council Member Walden questioned the Building Official about illegal signs that were picked up. He also stated the street department was doing a good job.

**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 And Status Of Drilling Permits.**

Paulette Hartman, City Manager, stated that Chesapeake had requested their request for a variance to 3 gas wells in Joshua Meadows be moved until the March council meeting.

**C. Presentation By Johnson County Probation Office.**

Bill Bosworth, District Judge, presented this item. He explained the need for additional probation offices in Johnson County.

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

Council Member Smallwood inquired about the expenditures percentages.

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

There was a request to discuss the Johnson County probation office issue.  
There was a request to discuss a 457 retirement plan.

There being no further business the work session recessed at 7:08 p.m.

**II. Regular Session – 7:00 p.m.**

Mayor Breitenstein called the regular session to order at 7:15 p.m.

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

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

At this time, Mayor Breitenstein requested that Item #3 be discussed at this time.

Council Members Tallent and Smallwood excused themselves from the meeting.

**F. Action and Discussion Items:**

**3. Discuss, Consider And Act Upon A Development Plan Related To The Joshua Meadows Planned Development District Established By City Of Joshua Ordinance #439-2007. (Hartman)**

Paulette Hartman, City Manager, presented this item. Citizens speaking on this topic were:

Ron Fischer, 3011 Running Brook, Joshua, TX 76058

Jeff Monk, 5004 Hunters Wood Ct., Joshua, TX 76058

Jill Miller, 3049 Big Springs, Joshua, TX 76058

Ron McGough, 5137 Davis Blvd., Ft. Worth, TX 76180, representative for Sandlin Homes.

After discussion, Council Member Martini made a motion to approve the development plan as presented for Joshua Meadows as reflected in City of Joshua Ordinance No. 439-2007. Council Member Maxfield seconded the motion.

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

At this time Council Members Smallwood and Tallent returned to the meeting.

**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.

Jeff Monk, 5004 Hunters Wood Ct., Joshua, TX spoke on various concerns he had in the Joshua Meadows subdivision.

**D. Presentations & Special Presentations:**

Mayor Breitenstein signed a proclamation declaring February 24-March 1, 2008 as Severe Weather Awareness Week.

**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 January 17, 2008 Regular Session.**
2. **Approval of Minutes for the February 7, 2008 Town Hall Meeting.**
3. **Approve And Authorize City Manager Signature On Joint Election Agreement With Joshua Independent School District.**
4. **Approve Interlocal Agreement With The City Of Cleburne For Use Of Communication Equipment For Fire Protection 2005 AFG Grant.**
5. **Approve Payment Of Bills For Pate Engineering.**

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

**Motion Carried – 7-0.**

**F. Action and Discussion Items:**

1. **Discuss, Consider And Act Upon A Resolution Of The City Council Of The City Of Joshua, Texas, Authorizing A General Municipal Election To Be Held On Saturday, May 10, 2008 For The Purpose Of Electing The Mayor And Three (3) City Council Members; Authorizing A Joint Election With The Joshua Independent School District Election To Be Held On May 10, 2008; Designating Election Precincts; Appointing Election Officials; Providing For Notice Of Said Election; Providing For The Use Of Voting Machines; Providing For Early Voting; Establishing Hours For Early Voting By Personal Appearance; Providing A Severability Clause; And Providing An Effective Date. (Hartman)**

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

**Motion Carried – 7-0.**

**2. Discuss, Consider And Act Regarding An Ordinance Of The City Of Joshua, Texas, Calling A Special Election For May 10, 2008, For The Purpose Of Amending The City Charter; Providing That This Ordinance Shall Be Cumulative Of All Ordinances; Providing A Severability Clause; And Providing An Effective Date. (Hartman)**

Paulette Hartman, City Manager, presented this item. Council Member Smallwood made a motion to approve the ordinance with the following notations:

Proposition #5 City Council Term – shall be amended to provide for three years terms for the Mayor and Council Members by amending Section 4.01.

Proposition #9 Initiative, Referendum and Recall – shall be amended by changing the number of signatures required for initiative referendum and recall by amending Section 10.05.

Council Member Tallent 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.

**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.
- B. §551.074 Personnel Matters related to the evaluation of the City Secretary.
- C. §551.071 Consultation with Attorney regarding pending or contemplated litigation: Dodson Vs. Johnson County, Joshua Independent School District, City of Joshua, et al.

City Council convened into executive session at 8:08 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.

City Council reconvened into open session at 9:10 pm.

- B. Council Member Smallwood made a motion to approve the evaluation of the City Secretary. Council Member Walden seconded the motion.

**Motion Carried – 7-0.**

- C. Council Member Martini made a motion to authorize the City Manager to execute a contract for the purchase of real property as discussed in Executive Session.  
Council Member Walden seconded the motion.

**Motion Carried - 7-0.**

**V. Adjournment.**

There being no further business the meeting adjourned at 9:12 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