



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

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

Absent: Council Member Martini, Council Member Smallwood

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; Dwayne Capps, Fire Chief; Lawrence Robbins, Management Assistant; LaDonna Davis, Finance; Dan Boutwell, City Planner

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 Walden had questions regarding the Police Department, Fire Department and Code Enforcement reports.

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, briefed Council Members on several items: the warrant round-up was a success, email from codification company on the status of that project, staff reports will be changing and of the 700 park surveys mailed approximately 230 had been returned.

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

There was no discussion.

D. Requests For Future Reports And Agenda Items.

There were none.

There being no further business the work session recessed at 6:48 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 Tallent.

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.

John Ringgold, 1208 W. Buffalo Trail, Joshua, spoke regarding a letter from IESI.

Virgil Preissinger, 607 Conveyor Dr. Joshua, spoke regarding a letter from IESI.

Paul Smitherman, 5601 Wylie Ct., Joshua, spoke regarding a letter from IESI.

D. Presentations & Special Presentations:

1. Recognition of Glenn Reue's years of service as Planning and Zoning Chairperson.

Mayor Breitenstein presented Mr. Reue with a plaque in recognition of his years of service as Planning & Zoning Chairperson.

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 February 21, 2008 Regular Session.**
- 2. Approval of Minutes for the March 5, 2008 Work Session.**
- 3. Approval of Minutes for the March 13, 2008 Goals/Vision Setting Work Session.**

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

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

F. Action and Discussion Items:

At this time, Mayor Breitenstein, asked that Item #5 be discussed.

- 5. Discuss, Consider And Act Regarding Submittal Of A Concept Plan For The Tax Increment Finance District #1 (Joshua Station Overlay District) Located In The George Casseland Survey, Abstract No. 173, Located Approximately In The 1200 Block On The West Side Of Hwy 174. (Hartman)**

Paulette Hartman, City Manager, introduced Melissa Lindelow, attorney for the applicant, who presented this item. After a brief discussion, Council Member Tallent made a motion to approve the development plan. Council Member Neely seconded the motion.

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

- 1. Discuss, Consider And Act Regarding A Resolution Of The City Council Of The City Of Joshua, Supporting An Adult Probation Center In The City Of Joshua. (Hartman)**

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

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

A public hearing was opened at 7:24 p.m.

- 2. Convene A Public Hearing To Obtain Public Input Regarding A Request For A Zoning Change From “C-1” Restricted Commercial To “I-1” Light Industrial On Approximately 5.62 Acres Of Land, Located On Tract 9A And Tract 9B, Of The W. P. Gentry Survey, Abstract No. 307, And More Commonly Known As 461 N. Broadway.**

A. Applicants Statement.

Barry Gilbreath, applicant, presented his request.

Michael Buckley, Civil Engineer for the project, also presented.

B. Staff Comments.

Paulette Hartman, City Manager, presented this item.

Dan Boutwell, City Planner, also presented.

Diana Miller, JCEDC, also presented.

C. Those In Favor.

Don Standley, PO Box 1024, Joshua

Ken Kepple, PO Box 9, Joshua

Donna Rider, 1156 N. Main, Joshua

D. Those Against
No one spoke at this time.

E. Applicant Rebuttal
None required.

F Adjournment
The public hearing closed and the regular session reconvened at 7:46 pm.

3. **Discuss, Consider And Act Regarding An Ordinance Of The City Of Joshua, Texas, Amending Ordinance No. 366-2003, The Comprehensive Zoning Ordinance Of The City, To Rezone Approximately 5.62 Acres Out Of The W. P. Gentry Survey, Abstract No. 307, More Commonly Known As 461 N. Broadway, Joshua, Texas, From C-1 Restricted Commercial To I-1 Light Industrial; Changing The Official Zoning Map Of The City; Providing For A Repealer Clause; Severability; A Savings Clause; Providing For A Penalty Not To Exceed \$2,000 And Authorization To Seek Injunctive Relief To Enjoin Violations Which Constitute An Imminent Hazard Or Danger To The Public Health And Safety; Providing For Engrossment And Enrollment; Providing For Publication And An Effective Date.** (Hartman)

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

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

Council Member Tallent left the meeting at 8:03 p.m.

4. **Discuss, Consider And Act Regarding A Variance To The Gas Well Ordinance Related To An Application To Drill Sandlin 1H, A1H, And A2H Gas Wells By Chesapeake Energy.** (Hartman)

Paulette Hartman, City Manager, presented this item. Dusty Anderson, Chesapeake, answered questions by Council Members. Jeff Monk, 5004 Hunterswood, Joshua, spoke on this issue. Council Member Walden made a motion to approve the variance. Council Member Maxfield seconded the motion.

Motion Carried – 4-0. Absent: Council Members Smallwood, Martini and Tallent

Council Member Tallent returned to the meeting at 8:18 p.m.

6. **Discuss, Consider And Act Regarding Draft Of Comprehensive Plan Update.** (Hartman)

Dan Boutwell, City Planner, presented this item.

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.

City Council convened into executive session at 8:36 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 8:58 pm.

There was no action as a result of the executive session.

V. Adjournment.

There being no further business the meeting adjourned at 9:00 p.m.

Merle Breitenstein, Mayor
City of Joshua, Texas

ATTEST:

Mary Beth Thomas, City Secretary
City of Joshua, Texas