

Joshua City Council Minutes
June 18, 2009
Work Session – 6:30 p.m.
Regular Session – 7:00 p.m.

Council Members Present:

Merle Breitenstein, Mayor
Butch Isom, Place 1
Glen Walden, Place 2
Tom Tallent, Place 5 (arrived at 7:30 p.m.)
Bob Neely, Place 6

Council Members Absent:

Cameron Smallwood, Place 3
Butch Maxfield, Place 4

Staff Present:

Paulette Hartman, City Manager
Betsy Elam, City Attorney
Greg Saunders, City Engineer
Mike Peacock, Director of Operations
Leland Cheek, Police Lieutenant
Mary Beth Thomas, City Secretary
Carla Bonham, Court Clerk
Bruce Hewett, Street Superintendent
Nader Jeri, Building Official
Dewayne Capps, Fire Chief

I. WORK SESSION – 6:30 p.m.

Mayor Breitenstein called the Work Session to order at 6:30 p.m.

A. Report on Mayor’s Summit For Children And Families. (Isom)

Butch Isom, City Council Member, presented this item.

B. Report on Status of Work of the Citizen’s Capital Project Study Committee.

Paulette Hartman, City Manager, presented this item.

C. Report On Status Of Compliance With City Ordinance Requirements For Concrete Drive Approaches To Gas Well Sites.

Paulette Hartman, City Manager, presented this item.

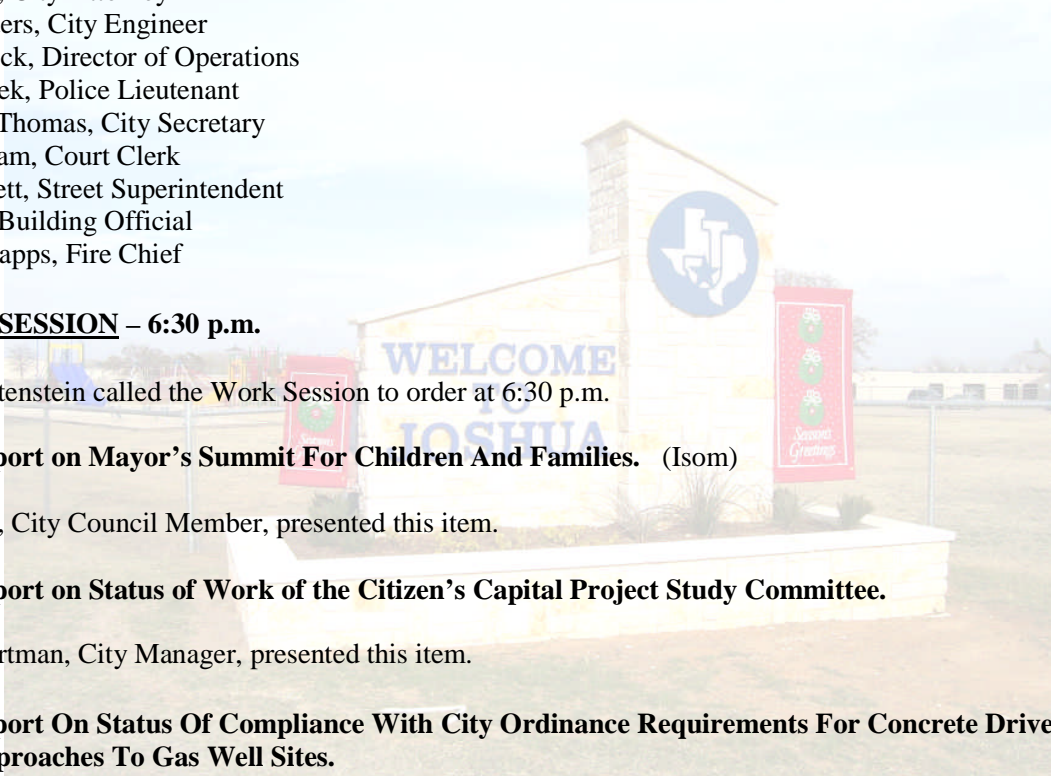
D. Legislative Update.

Paulette Hartman, City Manager, presented this item.

E. Review And Discuss Questions Related To The Budget Report And Financial Statements For The Month Of May 2009.

Paulette Hartman, City Manager, presented this item.

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.



Paulette Hartman, City Manager, presented this item. Mrs. Hartman stated that City Offices will be closed on July 3, 2009 in observance of Independence Day, the building that previously housed the street department offices has been demolished, the drainage project for Cofield Drive and the Country Club Bridge Drive should begin next week, there will be a community clean-up on July 10-12, 2009, the City has launched a Facebook page.

G. Review And Questions Related To Staff Reports.

Council Member Neely inquired if the Building Official was still picking up a large number of illegal signs.

H. Questions Regarding Regular Session Agenda Items.

There was no discussion.

I. Requests For Future Reports And Agenda Items.

There were none.

The Work Session recessed at 7:07 p.m.

II. REGULAR SESSION – 7:00 P.M.

Mayor Breitenstein called the Regular Session to order at 7:16 p.m.

A. The invocation was given by Council Member Neely.

B. The Pledge of Allegiance and Texas Pledge was led by Council Member Walden.

C. Proclamations And Presentations.

There were none.

D. Public Forum:

No one spoke at this time.

E. Items To Be Withdrawn From The Consent Agenda For Separate Discussion.

There were none.

F. Consent Agenda:

1. Approval Of Minutes For The May 19, 2009 Special Session.
2. Approval Of Minutes For The May 21, 2009 Regular Session.
3. Ratify City Manager Signature On Voting Machine Lease Agreement With Johnson County.
4. Approval Of 5th Pay Request To Joshua Bobo's For Construction Of Joshua Station Blvd.
5. Approval Of Invoice From MHS Planning For Park Design And Construction Administration In The Amount Of \$4,660.72 To Be Paid With 4B Funds.

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

Motion Carried – 4-0.

Absent: Council Members Smallwood, Maxfield and Tallent

G. Appointment To Boards, Commissions, Committees:

There were none.

H. Contracts And Agreements:

- 1. Discuss, Consider And Act Upon Agreement For Engineering Services With Teague, Nall And Perkins For Joshua Station Boulevard Landscaping And Irrigation To Be Paid With 4A Funds. (Hartman)**

Paulette Hartman, City Manager, presented this item. After a brief discussion, Council Member Neely made a motion to approve the agreement and authorize the City Manager to sign the agreement. Council Member Isom seconded the motion.

Motion Carried – 4-0.

Absent: Council Members Smallwood, Maxfield and Tallent

I. Reports Of Planning And Zoning Commission:

There were none.

J. Reports And Action Items From The 4A Economic Development Corporation Board:

There were none.

K. Reports And Action Items From The 4B Economic Development Corporation Board:

- 1. Discuss, Consider And Act On Selections For Possible Location For The North Entryway Sign.**

Mike Peacock, Director of Operations, presented this item.

- 2. Discuss, Consider And Act On Increase Of \$1,495 To The Design Services Contract For The City Park For Topographic Study To Cover The Pond Downstream From The Park Pond.**

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

Motion Carried – 4-0.

Absent: Council Members Smallwood, Maxfield and Tallent

At this time, Council Member Tallent arrived.

- 3. Discuss, Consider And Act On Proposal From Fugro Consultants, Inc. In The Amount Of \$5,866 For Geotechnical Investigation Of The Proposed Park.**

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

Motion Carried – 5-0.

Absent: Council Members Smallwood and Maxfield

- 4. Receive Update On Park Design, Land Appraisal And Acquisition Process And Progress On City Park Project.**

Mike Peacock, Director of Operations, presented this item. There will be a meeting with the Park Design Committee on the final design. There will also be a meeting with Mark Spencer, MHS Planning, on the appraisal.

L. General Action Items:

- 1. Discuss, Consider And Act Regarding An Ordinance Providing For The Annexation Into The City Of Joshua Of Territory Comprising Approximately 49.92 Acres More Specifically**

Described And Depicted Below, Located Within The Current ETJ Of The City Of Joshua, Texas, For All Municipal Purposes; Approving A Service Plan For Such Territory; Deed Records Of Johnson County; Providing That This Ordinance Shall Be Cumulative Of All Ordinances; Providing A Severability Clause; Providing For Engrossment And Enrollment; And Providing An Effective Date. (Hartman)

Betsy Elam, City Attorney, presented this item. After discussion, Council Member Tallent made a motion to approve the ordinance with the correction to the Development Agreement, Section 3 (2) needs to be deleted. Council Member Walden seconded the motion.

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

- 2. Discuss, Consider And Act Regarding An Ordinance Of The City Council Of The City Of Joshua, Texas, Re-Establishing The Prima Facie Speed Limit As Provided In Section 545.352 Of The Texas Transportation Code; Providing A Repealer Clause; Providing A Severability Clause; Providing A Penalty Clause; Providing A Savings Clause; Providing For Publication; Providing For Engrossment And Enrollment; 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 Neely seconded the motion. The vote was as follows:

Ayes – Council Member Walden, Mayor Breitenstein, Council Member Tallent, Council Member Neely

Nays – Council Member Isom

Absent – Council Members Smallwood and Maxfield

Motion Carried – 4-1

- 3. Discuss, Consider And Act Regarding Setting The Date Of June 22, 2009 For Canvassing Of The Votes Of The June 13, 2009 Run-Off Election. (Hartman)**

Paulette Hartman, City Manager presented this item. Mayor Breitenstein made a motion to approve the resolution. Council Member Tallent seconded the motion.

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

The regular session recessed and executive session convened at 7:51 pm.

III. EXECUTIVE SESSION

1. §551.087 Economic Development Negotiations Related To Joshua Station Development.
2. §551.071 Consultation With City Attorney On A Matter In Which The Duty Of The Attorney To The Governmental Body Under The Texas Disciplinary Rules Of Professional Conduct Of The State Bar of Texas Clearly Conflicts With The Open Meetings Act To Discuss Legal Matters Related To The Joshua Station Development.
3. §551.072 Real Property to deliberate the purchase, exchange, lease, or value of real property on N. Main St.

IV. RECONVENE IN OPEN SESSION

The executive session recessed and the regular session reconvened at 8:31 p.m.

There being no further business the meeting adjourned at 8:32 p.m.

Merle Breitenstein, Mayor

ATTEST:

Mary Beth Thomas, City Secretary

