

**Joshua City Council Minutes
December 17, 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
A. J. Mathieu, Place 4
Tom Tallent, Place 5 (arrived at 7:10 p.m.)
Bob Neely, Place 6

Council Members Absent:

Cameron Smallwood, Place 3

Staff Present:

Paulette Hartman, City Manager
Steve Wood, City Attorney
Annabeth Robertson, Chief of Police
Mary Beth Thomas, City Secretary
Wayne Baker, Fire Chief
Bruce Hewett, Street Superintendent
Nader Jeri, Building Official
LaDonna Davis, Finance

I. WORK SESSION – 6:30 p.m.

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

Paulette Hartman, City Manager, asked that #A be discussed when the Fire Chief was present.

B. Report On Status Of The City Park Project.

Paulette Hartman, City Manager, presented this item.

C. Report On Status On Electronic Agenda Implementation.

Paulette Hartman, City Manager, presented this item.

D. Review And Questions Related To Staff Reports;

Paulette Hartman, City Manager, and Annabeth Robertson, Chief of Police, introduced the new patrol officer, Danny Keaton. Council Member Walden inquired as to the State being notified of benzanene coming off gas wells in residential areas.

A. Discuss And Choose A Date For A Work Session With The Emergency Services District.

Wayne Baker, Fire Chief, reported the dates that the Emergency Services Director would be able to attend a meeting. The date of Jan. 14, 2010 was tentatively set at the date for a work session with the Director of the Emergency Services District.

E. 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.

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

There was no discussion.

F. Questions Regarding Regular Session Agenda Items.

Council Member Mathieu had a question regarding the Data Prose contract.

G. Requests For Future Reports And Agenda Items.

There were none.

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. The Invocation was given by Council Member Neely.

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

C. Proclamations And Presentations:

There were none.

D. Public Forum:

No one spoke at this time.

At this time, Santa came to visit the Council Members.

E. Items to be Withdrawn From the Consent Agenda For Separate Discussion.

There were none.

F. Consent Agenda:

1. **Approval Of Minutes For The November 19, 2009 Regular Session.**
2. **Approval Of Agreement With Johnson County To Participate In The Joshua Station Tax Increment Reinvestment Zone No. 1 And Authorize City Manager Signature On Same.**
3. **Approval Of Agreement With Data Prose And Authorize City Manager Signature On Same.**

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

Motion Carried – 5-0.

Absent: Council Member Smallwood, Council Member Tallent

G. Appointments To Boards, Commissions, Committees:

There were none.

H. Contracts And Agreements.

There were none.

I. Reports And Action Items From The Planning And Zoning Commission:

The regular session recessed and a public hearing was opened at 7:08 p.m.

- 1. Convene A Public Hearing In Order To Obtain Public Input Regarding A Request To Change The Zoning From “C-1” Restricted Commercial To “I” Industrial On An Approximate 0.67 Acre Tract Of Land Located In The J. Minett Survey, Abstract No. 547, Joshua, Texas, More Commonly Known As 619 N. Broadway, Joshua, Texas.**

A. Applicants Statement

Lynn Boyer, owner, presented this item.

B. Staff Comments

Paulette Hartman, City Manager, presented this item.

C. Those In Favor

No one spoke at this time.

D. Those Against

No one spoke at this time.

E. Applicants Rebuttal

None required.

F. Adjournment

The public hearing recessed and the Regular Session reconvened at 7:13 p.m.

At this time Council Member Tallent arrived.

- 2. Discuss, Consider And Act Regarding An Ordinance Of The City Of Joshua, Texas, Amending Ordinance No. 469-2008, The Comprehensive Zoning Ordinance Of The City, To Rezone Approximately 0.67 Acres Out Of The J. Minett Survey, Abstract No. 547, Joshua, Texas, From “C-1” Restricted Commercial To “I” 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. After a brief discussion, Council Member Tallent made a motion to table this item until the January 21, 2010 Council meeting. Council Member Neely seconded the motion.

Motion Carried – 6-0.

Absent: Council Member Smallwood

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.

There were none.

L. General Action Items:

- 1. Discuss, Consider And Act Regarding An Ordinance Amending Article 12.02 “Operation Of Vehicles” Of Chapter 12, “Traffic And Vehicles” Of The Code Of Ordinances Of The City Of Joshua, Texas, By Amending And Enacting Times For School Zones And Amending Certain Block Numbers For School Zones; Providing That This Ordinance Shall Be Cumulative Of All Ordinances; Providing A Severability Clause; Providing For A Penalty For Violations Thereof; Providing A Savings Clause; Providing For Publication In The Official Newspaper; And Providing An Effective Date. (Hartman)**

Annabeth Robertson, Chief of Police, presented this item. After a lengthy discussion, Mayor Breitenstein made a motion to table this item until the January 21, 2010 Council Meeting. Council Member Walden seconded the motion.

Motion Carried – 6-0.

Absent: Council Member Smallwood

The Regular Session recessed and an Executive Session convened at 7:45 p.m.

III. EXECUTIVE SESSION

1. §551.072 Real Property: To Deliberate The Purchase, Exchange, Lease, Or Value Of Real Property For The Purposes Of Building A Fire Station And Other Facilities.
2. §551.074 Personnel Matters: City Manager Evaluation
3. §551.087 Economic Development Negotiations: Related to Tax Increment Finance District #1, Joshua Station Development..

The Executive Session recessed and the Regular Session reconvened at 8:13 p.m.

IV. RECONVENE IN OPEN SESSION

No action was taken.

There being no further business the meeting adjourned at 8:13 p.m.

Merle Breitenstein, Mayor

ATTEST:

Mary Beth Thomas, City Secretary