

MINUTES
CITY OF JOHNSON CITY, TEXAS
CITY COUNCIL REGULAR MEETING

The City of Johnson City City Council met for a Regular Meeting on Tuesday, December 8, 2020 at 6:00 p.m. in the City Hall Council Chamber, 303 E. Pecan Street, Johnson City, Texas 78636. This was an open meeting, subject to the open meeting laws of the State of Texas.

Present: Rhonda Stell, Mayor
Patricia Dildine, Mayor Pro Tem
Gayla Guthrie
Teresa Babb
Shelton Coleman
Clayton Young

Staff Present: Rick Schroder, CAO/City Secretary
Whitney Walston, Deputy City Secretary
Ross Allen, Police Chief
BJ Sultemeier, Interim Public Works Director
Elizabeth Elleson, City Attorney

Citizens Present: Patty Chimene
Robert Long
Steve Sanchez

1. **Call to order.**

Mayor Stell called the meeting to order at 6:00 pm and led the pledge to the US flag. Pastor Steve Sanchez led the invocation.

OPEN SESSION:

2. **Citizens to be heard.**

No one signed up to speak on this item.

CLOSED SESSION:

3. The City Council will convene into Closed Session in accordance with Government Code:

- **§551.071 Consultation with Attorney to receive legal advice and updates from the City Attorney regarding investigations into the FYE 2016 and 2017 Municipal Audits; and**
- **§551.071 Consultation with Attorney to receive legal advice and updates from Attorney Robert Long of Greenberg Traurig, L.L.P. regarding a U.S. Securities and Exchange Commission investigation (Matter-3952).**

The council convened into closed session at 6:04 pm. The closed session was adjourned at 6:10 pm.

REPORTS:

4. Proclamations, Presentations, and/or Reports.

- **Report – Chief Administrative Officer / City Secretary Rick Schroder. Provide progress update to City Council on work performed / objectives achieved since prior City Council meeting. Topics include, but may not be limited to, financial accounting, auditing, process improvements, and Code violations cited during the November 10, 2020 City Council meeting.**

CAO Rick Schroder spoke about the above listed topics. Council asked about the most recent investment, Schroder informed them that the report was prepared quarterly and would have that available at the next meeting.

- **Report – Interim Public Works Director Brent Sultemeier. Provide progress update to City Council on work performed / objectives achieved since prior City Council meeting. Topics include, but may not be limited to, water and sewer infrastructure and usage, wastewater treatment plant operations, pending and completed work orders, and street paving.**

Interim Public Works Director Brent Sultemeier spoke about the above listed topics. There was additional discussion on code complaint updates. He informed the council that the previous areas of concern had been addressed.

- **Report – Police Chief Ross Allen. Provide progress update to City Council on work performed / objectives achieved since prior City Council meeting. Topics include, but may not be limited to, Department statistics, personnel issues, and public safety.**

Police Chief Ross Allen spoke about the above listed topics. There was additional discussion on the process and protocol on utilizing the reverse 911 dialing system.

- **Report – Johnson City Chamber of Commerce.**
Provide progress update to City Council on work performed / objectives achieved since prior City Council meeting.

Chamber Treasurer Patty Chimene spoke at the meeting for the chamber update. She informed the council that currently the Chamber is sending out their regular newsletters on Thursday in addition to a Covid-19 specific email that is sent out Friday mornings. The Visitors center is currently open from Wednesday to Saturday afternoons. In the last month, the Visitors Center had about 65 visitors/calls. The next Chamber meeting would be January 19th via Zoom Technology.

CONSENT AGENDA (ITEM NOS. 5-11):

5. **Approval of the minutes of the Regular Meeting of the City Council dated November 10, 2020. (Staff)**
6. **Approval of the Fiscal Year Ending (FYE) 2021 Revenue and Expenditure and Posted Transaction Reports dated 11/30/2020. (Staff)**
7. **Approval of an Ordinance of the City Council of the City of Johnson City, Texas amending Chapter 3 *Building Regulations*, Articles 3.01 *General Provisions* and 3.02 *Technical and Construction Codes and Standards*, and, generally, adopting the 2015 editions of the International Property Maintenance and Swimming Pool and Spa Codes; authorizing the Chief Administrative Officer to take all necessary steps to implement the provisions of this Ordinance; incorporating recitals; providing for severability; repealing any other Code provisions, ordinances, or parts of ordinances, and other provisions in conflict herewith; adopting penalty clauses; and adopting an effective date. (Staff)**
8. **Approval of a Resolution of the City Council of the City of Johnson City, Texas authorizing the use of the National Cooperative Purchasing Alliance (NCPA); approving an Interlocal Agreement between the City and the NCPA for cooperative purchasing purposes; authorizing the Chief Administrative Officer to take all necessary steps to implement the provisions of this Resolution; incorporating recitals; providing for severability; and adopting an effective date. (Staff)**
9. **Ratification and approval of an Outside Agency Funding Application between the City of Johnson City, Texas and Lights Spectacular Hill Country Style, Inc., a 501(c)4 tax exempt organization, for Fiscal Year 2020-2021 for 2020 Lights Spectacular expenditures in the amount of Ten Thousand Dollars and No Cents (\$10,000.00) and authorizing the Chief Administrative Officer to issue a check for the same from the General Fund. (Staff)**

10. **Approval of a Professional Judicial Services Agreement between the City of Johnson City, Texas and Judge Cathy Reidel for the performance of judicial duties and responsibilities related to Judge Reidel’s appointment; providing for an automatic two (2) year renewal term; and providing for compensation for said judicial services in the monthly amount of Twelve Hundred Dollars and No Cents (\$1,200.00). (Staff)**
11. **Approval of an Ordinance of the City Council of the City of Johnson City, Texas re-establishing a Vehicle and Equipment Replacement Program (VERP) and Fund for the water and wastewater system and Public Works Department; establishing guidelines for the administration of the VERP Program and Fund; authorizing the Chief Administrative Officer to take all necessary steps to implement the provisions of this Ordinance; incorporating recitals; providing for severability; repealing any other Code provisions, ordinances, or parts of ordinances, and other provisions in conflict herewith; and adopting an effective date. (Staff)**

Before approval of the consent agenda, item 10, was pulled for individual consideration. Councilmember Young had a brief question regarding item 9 pertaining to hayrides and carriage rides during the event. Council Member Dildine made the motion to approve the consent agenda. Council Member Coleman seconded it. All were in favor and the motion passed.

ITEMS FOR INDIVIDUAL CONSIDERATION:

10. **Approval of a Professional Judicial Services Agreement between the City of Johnson City, Texas and Judge Cathy Reidel for the performance of judicial duties and responsibilities related to Judge Reidel’s appointment; providing for an automatic two (2) year renewal term; and providing for compensation for said judicial services in the monthly amount of Twelve Hundred Dollars and No Cents (\$1,200.00). (Staff)**

This item was pulled from the consent agenda for individual consideration. Discussion included questions about the judge’s term. The term coincides with the mayoral term and the automatic renewal of the contract still allows for termination with notice. There was also questions and concerns about the increase in the monthly fee. CAO Schroder provided information showing that there was room in the budget for the increase in the monthly service fee. Councilmember Young made a motion to table the item. Councilmember Coleman seconded. All were in favor and the item was tabled.

12. **Discussion of and action on the City of Johnson City’s Coronavirus Relief Fund (CRF) Spending Plan submitted to the Texas Department of Emergency Management on November 13, 2020, including, but not limited to, the following FYE 2021 Outside Agency Funding Applications:**
 - (a) **Combined Community Action, Inc. Meals on Wheels Rural Capital Area;**
 - (b) **Johnson City Christian Food Pantry;**

- (c) **Blanco County Ministerial Alliance; and**
- (d) **Johnson City Chamber of Commerce. (Staff)**

Item 12 discussion included question on what the materials would be used for. CAO Schroder spoke about the items would allow the City to stock supplies for future needs. There was also discussion about ensuring the Outside Agencies listed above submit a spending plan to show that the money is specifically spent on Covid-19 related expenses. Councilmember Young made a motion to approve the item. Councilmember Babb seconded. All were in favor and the motion passed.

13. **Discussion of and action on a Rural Community Development Block Grant (CDBG) Call for Projects offered through the Texas Department of Agriculture, including, but not limited to, the replacement and/or repair of substandard fire hydrants and the installation of water main valves throughout the City of Johnson City's corporate City limits; authorizing the Chief Administrative Officer to a) solicit proposals from pre-qualified grant administrators for the preparation of a grant application, b) select, negotiate, and execute a contract with a grant administrator for grant application creation, submittal, and subsequent administration services for the awarded grant, and c) utilize Bureau Veritas for planning and design services related to the grant submittal. (Staff)**

CAO Schroder stated that the fire hydrant issue is city wide and would be applying for the full grant amount of \$350,000. The issue includes not only the hydrants themselves but the valves on the water mains. Councilmember Coleman had a question about the fees and if the ESD would be willing to split the fee. He was informed that the fee is standard, and it would be for the grant administering company. Councilmember Young made a motion to apply for the application and go forward with grant administration. Councilmember Coleman seconded. All were in favor and the motion passed.

14. **Discussion of and direction on the City of Johnson City Recycling Center, including, but not limited to, an Interlocal Contract for Solid Waste Equipment and Services between the City of Johnson City and the Capital Area Council of Governments (CAPCOG) and a remaining amount due to CAPCOG should the City elect to terminate Recycling Center services. (Staff)**

During discussion, the current hours of the center were stated that the gates are open 8 am to 4 pm Monday through Friday from item drop off. Several options were discussed including shutting the doors until the depreciation schedule is complete, halting commercial onsite cardboard collection and leaving the center open for drop off only. Council also discussed reducing hours. One concern was how closing would affect the lease between the City and ESD for the site. Councilmembers Babb, Coleman, Young, & Guthrie voiced their support for either closing or shortening the hours of the recycling center.

15. **Discussion of and action on an Ordinance of the City Council of the City of Johnson City, Texas granting a transmission and distribution electric utility franchise to**

Pedernales Electric Cooperative, Inc. for a ten (10) year term commencing on the effective date or the longest term allowed by the City Charter; containing various terms and conditions with regard to the grant of such franchise; containing a severability clause; providing for the repeal of any and all kinds of ordinances, regulations, rules, or policies that are in conflict with this Ordinance; and providing an effective date. (Staff)

A clarification was asked for regarding cell network nodes included on PEC equipment. The nodes would follow City Ordinance. Councilmember Coleman made a motion to approve the franchise agreement for a 2% fee and a five (5) year term. Councilmember Guthrie seconded it, and all were in favor.

A break was requested at this point.

- 16. Discussion of and direction on an Ordinance of the City Council of the City of Johnson City, Texas amending the City of Johnson City Personnel Policy defining the work period and compensatory time and overtime for law enforcement personnel; and providing for an effective date. (City Attorney / City Staff)**

Council had a question about how the work period would affect time off or vacation time. They were advised that this would not affect current staffing, Councilmember Dildine made a motion to table the item. Councilmember Young seconded the motion. All were in favor.

- 17. Discussion of and action on a Proposal and Agreement between the City of Johnson City, Texas and Granicus for Host Compliance software providing for hotel and other accommodations' address identification, mobile permitting and registration, hotel occupancy tax collection, 24/7 hotline, compliance monitoring, and rental activity monitoring; and authorizing the Chief Administrative Office to execute said Agreement on behalf of the City of Johnson City, Texas. (Staff)**

Council was briefed that this is a web-based application were a third-party company would perform the duties on the Cities behalf. Councilmember Babb made a motion to approve the item as presented. Councilmember Dildine seconded the motion. All were in favor and the motion passed.

- 18. Discussion of and action on a Resolution of the City Council of the City of Johnson City, Texas supporting the consideration by the Blanco County Commissioner's Court of all interested parties desiring to serve on the North Blanco County Emergency Services District No. 1 Board of Commissioners, including, but not limited to, the following:**

- **Sherry Levada Smith Jenkins;**
- **David O'Bannon;**
- **Kay Odiorne; and**

- **Robert A. Peterson; and**

authorizing the Chief Administrative Officer to take all necessary steps to implement the provisions of this Resolution; incorporating recitals; providing for severability; and adopting an effective date. (Mayor Stell)

Councilmember Coleman made a motion to table the item. Council member Guthrie seconded. Councilmember Babb abstained and Councilmember Dildine was a nay. The item was tabled.

19. **Discussion of and action on the status of City Attorney Elizabeth Elleson's legal counsel and representation of the City of Johnson City, Texas, including, but not limited to, Mrs. Elleson's resignation letter submittal dated September 21, 2020. (Councilman Coleman)**

At the request of council, City Attorney Elleson rescinded her request for resignation.

20. **Discussion of and action on the appointment of Interim Public Works Director Brent J. Sultemeier to Public Works Director of the City of Johnson City, Texas. (Staff)**

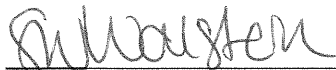
Councilmember Dildine made a motion to approve Brent Sultemeier as the Public Works director and a \$4,000.00 increase in his annual salary. Councilmember Babb seconded the motion. All were in favor.

With no addition business to come before the council, Mayor Stell adjourned the meeting at 9:17 pm.



Rhonda Stell, Mayor

ATTEST:



Whitney Walston, Deputy City Secretary

