

MEETING
CITY OF JOHNSON CITY, TEXAS
CITY COUNCIL

The City of Johnson City City Council met for a Regular Meeting on Tuesday, June 1, 2021, at 6:00 p.m. in the City Hall Council Chamber, 303 E. Pecan Drive, Johnson City, Texas 78636. This was an open meeting, subject to the open meeting laws of the State of Texas.

Present: Rhonda Stell, Mayor
Gayla Guthrie
Teresa Babb
Shelton Coleman
Stephanie Fisher
Clayton Young

Staff Present: Rick Schroder, CAO/City Secretary
Whitney Walston, Deputy City Secretary
BJ Sultemeier, Public Works Director
Ross Allen, Chief of Police
Tom Walston, Municipal Judge
Elizabeth Elleson, City Attorney
Anne Burger Entrekin, Hilltop Securities
Richard Sirius, Greenberg Traurig
Noel Valdez, McCall, Parkhurst & Horton

Citizens Present: Don Casey
David O'Bannon
AJ Gallerano
Bart Burkhard
Beckie Morris
Patty Chimene
Diane Gonzales
Janet Pitman
Jeremy Myers
Debbie Fraser
Tony Emadi
Dahlia Garcia

1. **Call to order.**

Mayor Stell called the meeting to order at 6:01 p.m.

CEREMONIAL:

2. **Oath of Office**

The Oath of Office was administered by Municipal Judge Tom Walston to Mayor Stell and Council Members Fisher and Young.

REPORTS:

3. **Proclamations, Presentations, and/or Reports.**

a) **Presentation by Mayor Rhonda Stell on a Proclamation commemorating June 14, 2021 as national Flag Day within the City of Johnson City, Texas.**

Mayor Stell presented the Flag Day Proclamation and announced that the Daughters of the American Revolution would be presenting a Flag Day Ceremony at 10:30 a.m. at the Blanco Co. Courthouse.

b) **Report – Chief Administrative Officer / City Secretary Rick Schroder. Provide progress update to City Council on work performed / objectives achieved since prior City Council meeting.**

CAO Schroder spoke about multiple items including: Bid for police vehicle upfitting, sewer averaging, Economic Development website, Host Compliance, pool updates, SCADA system updates, TDEM, subdivision ordinance revisions, and an update on the American Rescue Plan.

c) **Report – Public Works Director Brent Sultemeier. Provide progress update to City Council on work performed / objectives achieved since prior City Council meeting.**

Public Works Director Sultemeier presented and spoke on the topics included in his report. The report was provided in the council packet.

d) **Report – Police Chief Ross Allen. Provide progress update to City Council on work performed / objectives achieved since prior City Council meeting.**

Police Chief Ross Allen presented and spoke on the topics included in his report. The report was provided in the council packet.

e) **Report – Court Clerk Patricia Mikla and Municipal Court Judge Tom Walston. Provide progress update to City Council on work performed / objectives achieved since prior City Council meeting.**

Municipal Court Clerk Mikla submitted a written report to council.

- f) **Report – Johnson City Chamber of Commerce and Visitor’s Center.**
Provide progress update to City Council on work performed / objectives achieved since prior City Council meeting, including a Hotel Occupancy Tax (HOT) Quarterly Report for quarter ending March 2021.

The Chamber reported on Market Days. They reported about 40 vendors with good sales and even some selling out. A detailed expenditure report was included in the council packet.

- g) **Report – Monthly Work Orders and Building Permits.**
Provide progress update to City Council on work orders and building permits issued since prior City Council meeting.

The report was included in the council packet.

OPEN SESSION:

4. **Citizens to be heard.**

Patty Chimene spoke about the upcoming Lights Spectacular festivities and gave a brief synopsis of planned activities. Don Casey spoke about Johnson City water availability and spoke about the Fazzino case involving the City of Bryan. Beckie Morris spoke about item #14, the water conversation plan. She spoke about how the City’s sole source of water is the Ellenburger Aquifer and concern should be taken when looking at long term water use.

CONSENT AGENDA (ITEM NOS. 5 - 8):

5. **Approval of the minutes of the Regular and Special Meetings of the City Council dated May 4th and 17th, 2021. (Staff)**
6. **Approval of the Fiscal Year Ending (FYE) 2021 Revenue and Expenditure, Check Register, and Posted Transaction Reports dated May 24, 2021. (Staff)**
7. **Approval of an Animal Intake and Assistance with Stray Animals Agreement between the City of Johnson City and the PAWS Shelter of Central Texas for the provision of animal reclaiming, surrender, and adoption services for a provisional period of six (6) months; and authorizing the Mayor to negotiate and execute said Agreement, and any extensions thereto, on behalf of the City Council of the City of Johnson City. (Staff)**
8. **Approval of a Resolution of the City Council of the City of Johnson City, Texas reappointing Thomas H. Walston as Municipal Court Judge effective May 1, 2021 for a two-year term; providing for an extension of a Professional Judicial Services Agreement between the City of Johnson City and Thomas H. Walston; providing for**

compensation for said judicial services in the monthly amount of Twelve Hundred Dollars and No Cents (\$1,200.00); and providing for an effective date. (Staff)

Councilmember Coleman made a motion to approve the consent agenda as presented. Councilmember Babb seconded the motion. All were in favor and the consent agenda was approved.

ITEMS FOR INDIVIDUAL CONSIDERATION:

9. **Presentation by qualified Certified Public Accountant firms submitting Statements of Qualifications for the completion of independent audits of the City of Johnson City's annual financial statements; discussion of and action on the selection of a Certified Public Accounting firm for the completion of the same for fiscal years ending September 30, 2020 through September 30, 2024; and authorizing the Mayor to negotiate and execute Engagement Letters between the City and selected firm on behalf of the City Council of the City of Johnson City. (Staff)**

Accounting Firms Lowery, Powell Stevens & Mangum, P.C., ABIP, Armstrong, Vaughan, & Associates, P.C., Beasley, Mitchell & Co., and Atchley & Associates made presentations to the council outlining their qualifications.

After presentations, the council requested to convene into closed session at 7:45 p.m. in accordance with Government Code §551.074 *Personnel Matters*. The council returned to open session at 7:57 p.m.

Councilmember Young made the motion the have CAO Schroder negotiate a contract with the following three firms for a five year contract:

1. Atchley & Associates
2. Armstrong, Vaughan, & Associates, P.C.
3. Lowery, Powell Stevens & Mangum, P.C.

Councilmember Coleman seconded the motion. All were in favor and the selection was approved.

10. **Discussion of and action on proposed City Council Policies and Procedures establishing City Council and other Board and/or Commission responsibilities, processes, and conduct. (Staff)**

Council discussed the pros and cons of adopting the new policies and procedures. Councilmember Young made the motion to continue with the current policy. Councilmember Guthrie seconded the motion. Councilmembers Young, Guthrie, Fisher, and Coleman were in favor of continuing with the current policy. Councilmember Babb was a nay.

11. **Discussion of and action on a Resolution of the City Council of the City of Johnson City, Texas requesting that the Texas Department of Transportation (TxDOT) study and implement, if warranted, a dedicated turn lane from U.S. Hwy. 281 at its intersection with U.S. Hwy. 290 to the Pedernales River Bridge and an emergency vehicle traffic control signal or preemption device at U.S. Hwy. 281 and Ranch Road 2766 (A. Robinson Road); 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)**

After limited discussion, Councilmember Coleman made the motion to approve the Resolution. Councilmember Fisher seconded the motion. All were in favor and the Resolution was approved.

12. **Discussion of and action on the City of Johnson City Recycling Center, including, but not limited to, the following:**
 - a) **A Resolution of the City Council of the City of Johnson City authorizing the closure of the City Recycling Center facility;**
 - b) **A Resolution of the City Council of the City of Johnson City approving the Memorandum of Understanding between the City and the North Blanco Co. Emergency Services District No. 1 (ESD) regarding lease agreements; and**
 - c) **A Resolution of the City Council of the City of Johnson City approving and authorizing the execution of the First Amendment to the Lease Agreements between the City and the ESD. (Staff)**

Council voiced concerns over removing equipment by September 30th. There was also hesitation over the wording requiring the City to return the property back to dirt. There were also questions about time extensions and allowing the flat work to remain and removing that wording from the agreement. Council gave direction to staff to comment back to the ESD with concerns and changes.

13. **Discussion of and action on a Resolution of the City Council of the City of Johnson City approving the Memorandum of Understanding between the City and the ESD regarding the FY 2021-2022 Community Development Block Grant. (Staff)**

Council discussed the need to reference an interlocal cost share agreement. There was also a request to add a ten-day termination notice. Council directed City staff to address section 8 and add in an interlocal agreement.

14. **Discussion of and action on an Ordinance of the City Council of the City of Johnson City, Texas amending Chapter 13 *Utilities*, Article 13.05 *Drought Contingency Plan* of the Municipal Code of Ordinances by adopting Water Conservation and Drought Contingency Plans for the City of Johnson City to promote the responsible use of water and establishing criteria for the initiation and termination of drought response stages and restrictions; incorporating recitals; authorizing the Chief Administrative Officer to take all necessary steps to implement the provisions of this Ordinance;**

providing for severability; repealing all ordinances in conflict herewith; providing for penalties; and establishing an effective date. (Staff)

Staff spoke about the plans and what it specifically means for the City of Johnson. Council inquired about alternate water sources for the City. Staff informed them that although the City does have access to surface water, the treatment facility needs massive renovations and that would be a lengthy process. It was discussed how the upgrades in the SCADA system and continuing upgrades would help the City more accurately measure waster use and water loss. Councilmember Babb made the motion to adopt the Ordinance. Councilmember Coleman seconded the motion, all were in favor and the item was approved.

CLOSED SESSION:

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

- **§551.071 Consultation with Attorney to receive legal advice regarding payroll liabilities owed to the Internal Revenue Service.**
- **§551.071 Consultation with Attorney to receive legal advice regarding the issuance of debt securities for municipal purposes.**

City Council convened into closed session at 8:50 p.m. and adjourned back into open session at 9:55 p.m.

16. Discussion of and action on matters discussed in Closed Session. (City Council)

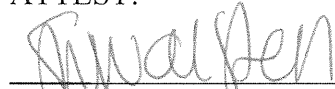
Councilmember Babb made a motion to direct City Staff to consult with legal, bond counsel, and Hilltop Securities to issue general refunding bonds for IRS debt repayment.

With no further business before council, the meeting was adjourned at 9:57 p.m.



Rhonda Stell, Mayor

ATTEST:



Whitney Walston, Deputy City Secretary