

MINUTES
CITY OF JOHNSON CITY, TEXAS
CITY COUNCIL

The City of Johnson City City Council met for a Regular Meeting on Tuesday, October 5, 2021 at 6:00 p.m. in the City Hall Council Chamber, 303 E. Pecan Drive, Johnson City, Texas 78636. This is an open meeting, subject to the open meeting laws of the State of Texas.

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

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

Citizens Present: Trish Hartmann, JCRC
Kasey Smith
Lea Elsbury
Darrin Cheraso
Jamie Whitfill
David McCullough
Rayette Bible
Bobbie Scallorn

1. **Call to order.**

Mayor Stell called the meeting to order at 6:00 p.m. Kasey Smith led the invocation.

OPEN SESSION:

2. **Citizens to be heard.**

There were no citizen comments.

Adjourn into Board of Adjustment Hearing.

PUBLIC HEARING:

3. **Public Hearing to give all interested persons the right to appear and be heard on a Board of Adjustment Application from Mr. John Plemmons for a variance to Chapter**

14 Zoning, Article 3 Zoning Districts, Section 3.3 Single Family Residential requesting that the minimum front yard setback be reduced from fifteen feet (15') to ten feet (10') for 203 N. Ave. J, Johnson City, Texas 78636, more particularly described as BCAD Property ID No. 19989. (Applicant)

The public hearing opened at 6:01 p.m. and closed at 6:02 p.m. There were no public comments.

ITEMS FOR INDIVIDUAL CONSIDERATION:

4. **Discussion of and action on a Board of Adjustment Application from Mr. John Plemmons for a variance to Chapter 14 Zoning, Article 3 Zoning Districts, Section 3.3 Single Family Residential requesting that the minimum front yard setback be reduced from fifteen feet (15') to ten feet (10') for 203 N. Ave. J, Johnson City, Texas 78636, more particularly described as BCAD Property ID No. 19989. (Applicant)**

The owners of 203 N Ave. J were present and spoke about the project. The said a private driveway would serve the new residence. Homes would be facing the ISD property and would have very small front yards and parking in the rear. There were no concerns voiced from the public works department or any public contests. The City Attorney spoke that the variance must be based on a hardship and the street would need to remain private. CAO Schroder spoke that it could be a private or public throughfare. Councilmember Guthrie made a motion to approve the variance. Councilmember Coleman seconded the motion. All were in favor and the motion carried.

Adjourn into City Council Meeting.

REPORTS:

5. **Proclamations, Presentations, and/or Reports.**
- a) **Proclamation – Mayor Rhonda Stell.**
Mayor Stell presented the World Teacher’s Day Proclamation
 - b) **Presentation – David McCullough, Hill Country Wireless & Technology.**
David McCullough presented the Terragraph wireless technology for high speed access.
 - c) **Report – Chief Administrative Officer / City Secretary Rick Schroder.**
CAO Schroder presented and spoke on the topics included in his report. The report was provided in the council packet.
 - d) **Report – Public Works Director Brent Sultemeier.**

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

e) Report – Police Chief Ross Allen.

Police Chief Ross Allen presented and spoke on the topics included in his report. The report was provided in the council packet. Chief Allen also appointed Officer Scallorn to the position of Lieutenant.

f) Report – Court Clerk Patricia Mikla and Municipal Court Judge Tom Walston.

The report was provided in the council packet.

g) Report – Johnson City Chamber of Commerce and Visitor’s Center.

A written report was submitted to council along with the reconciliation of the quarterly HOT payments and expenditures for January – September.

h) Report – Monthly Work Orders and Building Permits.

The report was provided in the council packet.

CONSENT AGENDA (ITEM NOS. 6 - 10):

6. **Approval of the minutes of the Regular, Workshop, and Special Meetings of the City Council dated September 7th, 11th, and 14th, 2021, respectively. (Staff)**
7. **Approval of the Fiscal Year Ending (FYE) 2021 Revenue and Expenditure, Check Register, and Posted Transaction Reports dated September 30, 2021. (Staff)**
8. **Approval of the Quarterly Investment Report for the calendar quarter ending September 30, 2021. (Staff)**
9. **(a) Pursuant to City Council direction dated October 8, 2020, ratification of a Budget Amendment transferring \$10,000.00 from Hotel Occupancy Tax Fund No. 02-126-9471 *Transfer Out* to General Fund No. 01-006-4709 *Transfer In* and increasing General Fund Nos. 01-006-4709 *Transfer In* and 02-020-6021 *Salaries* by the same amount to fund a portion of the Chief Administrative Officer’s FYE 2021 salary. (Staff)**
(b) Ratification of a Budget Amendment transferring \$50,000.00 from Water & Wastewater Utility Fund No. 03-600-9475 *Transfer Out* to General Fund No. 01-006-4709 *Transfer In* and increasing General Fund Nos. 01-006-4709 *Transfer In* and 02-

020-6021 Salaries by the same amount to balance the FYE 2021 General Fund Budget. (Staff)

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

- 10. Approval of a Software Subscription Agreement between Fund Accounting Solution Technologies, Inc. (“FundView”) and the City of Johnson City, Texas for a FundView software subscription and the payment for the same; and authorizing the Chief Administrative Officer to execute the Agreement on behalf of the City Council of the City of Johnson City, Texas. (Staff)**

Council made the request to pull item 10 for individual consideration.

Council had questions about some of the wording in the contract. CAO Schroder clarified the questions. Councilmember Babb made the motion to approve the agreement. Councilmember Coleman seconded the motion. All were in favor and the item was approved.

ITEMS FOR INDIVIDUAL CONSIDERATION:

- 11. Presentation by Atchley & Associates, L.L.P. and discussion of and action on the City of Johnson City’s Annual Financial Report for year ended September 30, 2020. (Auditor)**

Auditor Jeremy Myers presented the FYE 2020 audit. Councilmember Coleman made the motion to approve the audit with corrections. Councilmember Young seconded the motion. All were in favor and the audit was approved.

- 12. Discussion of and direction on designating a portion of S. Ave. G fronting a building located at 112 E. Main St., Johnson City, Texas 78636, commonly referred to as the “Crider Building”, as a “No Parking” zone. (Applicant)**

Councilmember Coleman expressed concerns over loss of parking, Councilmember Babb voiced that she would prefer an 18-foot length no parking zone. CAO Schroder suggested stripping and bollards. This was a direction item only, not action was taken.

- 13. Discussion of and action on a First Amendment to a Professional Services Agreement for prosecutorial services between the City of Johnson City, Texas and Kimberly Ashby increasing the rate of compensation from \$500.00 per month to \$1,000.00 per month. (K. Ashby)**

Councilmember Coleman confirmed that the new amount was already budgeted for. Council was also informed that the previous contract only included two hours of work per month and the contract would increase that to 20-25 hours. Councilmember Guthrie mad

the motion to approve the amended service agreement. Councilmember Fisher seconded the motion. All were in favor and the agreement was approved.

14. **Discussion of and action on an Ordinance of the City Council of the City of Johnson City, Texas appointing S. Whitney Walston as the City Secretary of the City of Johnson City; approving the form and amount of a bond executed by the same; incorporating recitals; providing for severability; repealing any other Code provisions, ordinances, parts of ordinances, and other provisions in conflict herewith; and adopting an effective date. (Staff)**

There was no discussion. Councilmember Fisher made the motion to approve the ordinance. Councilmember Young seconded the motion. All were in favor and the ordinance was approved.

15. **Pursuant to a Hotel Occupancy Tax (HOT) Funding Agreement between the Johnson City Chamber of Commerce (Chamber) and the City of Johnson City, Texas, discussion of and action on the Chamber's FYE 2022 HOT Fund Budget. (Chamber)**

Councilmember Babb had questions about the length of the contract. The council also had concerns about the conflict of the Chamber's treasure being the same person as the contracted bookkeeper. Councilmember Babb made the motion to approve the funding agreement. Councilmember Guthrie seconded the motion. All were in favor and the agreement was approved.

16. **Discussion of and action on a Resolution of the City Council of the City of Johnson City, Texas submitting a candidate nomination(s) for a position(s) to the Blanco County Appraisal District Board of Directors for term ending in the year 2023; 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. (BCAD)**

No action was taken on this item.

17. **Discussion of and action on FYE 2022 Outside Agency Funding Applications from the following entities:**
- a. **Hill Country Children's Advocacy Center - \$2,000.00;**
 - b. **First United Methodist Church (Christmas Joy) - \$2,000.00;**
 - c. **Capital Area Rural Transportation System (CARTS) - \$2,000.00; and**
 - d. **Lights Spectacular Hill Country Style - \$10,000.00. (Outside Agencies)**

It was noted that a total of \$20,000 was budgeted for outside agency funding and that some of these applications were submitted last fiscal year. The complete application for CARTS was still not complete. Councilmember Coleman made a motion to approved the above entities for the funding. Councilmember Young seconded the motion. All were in favor and the funding was approved.

18. **Discussion of and action on the extension of an approved Conditional Use Permit for Reck'em Right Brewing Company for the placement and operation of a food / barbeque trailer on City right-of-way located at 102 S. Ave. G, Johnson City, TX 78636. (Applicant)**

Council had several concerns about safety, dripping onto the street, no inside grease trap, and an additional loss of parking. Councilmember Babb made the motion to table the item. Councilmember Coleman seconded the motion. All were in favor and the motion was tabled until the next meeting.

Adjourn into Closed Session.

CLOSED SESSION:

19. **The City Council will convene into Closed Session in accordance with Government Code:**
- **§551.071 Consultation with Attorney and §551.074 Personnel Matters to receive legal advice and deliberate the qualifications for continued office of a City Councilmember. (Councilman Young)**

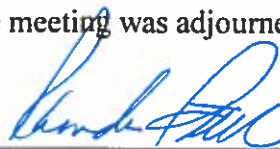
Council convened into closed session at 8:34 pm and returned to open session at 8:50 pm.

Adjourn into Open Session.

20. **Discussion of and action on matters discussed in Closed Session. (Councilman Young)**

Councilmember Coleman made the motion to accept Councilmember Young's resignation effective 10.5.2021 due to moving out of the city limits. Councilmember Guthrie seconded the motion. All were in favor and the resignation was accepted.

With no further business to come before the council, the meeting was adjourned at 8:55 pm.



Rhonda Stell, Mayor

ATTEST:



Whitney Walston, City Secretary