

**MINUTES
CITY OF JOHNSON CITY, TEXAS
CITY COUNCIL**

The City of Johnson City City Council met for a Regular Meeting on Tuesday, September 7, 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
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
Penny Whisenant
James Whitfill
Lisa Richardson
T. Higgins
Craig Van Englen
Steve Sanchez

1. **Call to order.**

Mayor Stell called the meeting to order at 6 p.m. The invocation and pledge followed.

OPEN SESSION:

2. **Citizens to be heard.**

Penny Whisenant, resident of 806 N Ave N spoke to the council about the Pecan Street/Ave N area. She expressed her concerns over speeding, the narrow street with no shoulder and the presence of potholes. She asked the council to lower the speed limit by 5 MPH and requested more police enforcement of the stop sign at Pecan Street. She submitted a petition signed by local residents also.

PUBLIC HEARINGS:

3. **Public Hearing to give all interested persons the right to appear and be heard on the proposed Fiscal Year Ending (FYE) 2022 Budget(s). (Staff)**

The public hearing opened at 6:05 p.m. and closed 6:05 p.m. There were no comments.

- a) Discussion of and action on the postponement of a vote on the final FYE 2022 Budget(s) until the Special Meeting of the City Council on Tuesday, September 14, 2021 at 6:00 p.m. in the City Hall Council Chamber, 303 E. Pecan Drive, Johnson City, Texas 78636.

Councilmember Coleman made the motion to postpone the vote on the final FYE 2022 Budget(s). Councilmember Fisher seconded the motion. All were in favor and the vote was postponed.

4. **Public Hearing to give all interested persons the right to appear and be heard on the proposed Tax Year 2021 ad valorem (property) tax rate. (Staff)**

The public hearing opened at 6:06 p.m. and closed 6:06 p.m. There were no comments.

- a) Discussion of and action on the postponement of a vote on the Tax Year 2021 ad valorem (property) tax rate until the Special Meeting of the City Council on Tuesday, September 14, 2021 at 6:00 p.m. in the City Hall Council Chamber, 303 E. Pecan Drive, Johnson City, Texas 78636.

Councilmember Coleman made the motion to postpone the vote on the Tax Year 2021 ad valorem taxes. Councilmember Guthrie seconded the motion. All were in favor and the vote was postponed.

REPORTS:

5. Proclamations, Presentations, and/or Reports.

- a) **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.

- b) **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.

c) 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.

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

The report was provided in the council packet.

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

Chamber President Craig Van Englen gave the Chamber and Visitor’s Center update.

f) Report – Monthly Work Orders and Building Permits.

The report was provided in the council packet.

CONSENT AGENDA

6. **Approval of the minutes of the Regular and Special Meetings of the City Council dated August 3rd and August 17th, 2021, respectively. (Staff)**

7. **Approval of the Fiscal Year Ending (FYE) 2021 Revenue and Expenditure, Check Register, and Posted Transaction Reports dated August 31, 2021. (Staff)**

8. **Ratification of a Budget Amendment decreasing Water and Wastewater Utility Fund Line-Item No. 03-600-6114 *Tools and Equipment* and increasing General Fund Line-Item No. 01-080-6017 *Pool Subcontractors* by \$9,268.16. (Staff)**

9. **Acceptance of the resignation of John W. Wilson from the Planning and Zoning Commission. (Commissioner Wilson)**

Councilmember Coleman made the request to pull item 10 from the consent agenda. Councilmember Coleman made a motion to approve items 6-9. Councilmember Babb seconded the motion. All were in favor and items 6-9 were approved.

10. **Approval of a Software Subscription Proposal from FundView for Municipal Court, Citation Import Interface, Cash Receipting, and Online Payments in the amounts of \$6,750.00 (initial year only) and \$4,500.00 (annual maintenance) payable from FYE 2022 funds and authorizing the Chief Administrative Officer to execute said Proposal on behalf of the City Council of the City of Johnson City, Texas. (Staff)**

CAO Schroder briefed the council on the new software. Fundview would replace all of the Cities current programs and would be cloud based. The programs would self-integrate and

allow for direct import of data. Councilmember Guthrie made the motion to approve item 10. Councilmember Young seconded the motion. All were in favor and the motion was approved.

ITEMS FOR INDIVIDUAL CONSIDERATION:

11. **Discussion of and action on appointing a City representative to the Capital Area Council of Governments (CAPCOG) General Assembly. (Staff)**

The City currently does not have a representative and has been represented by the Blanco Co. Judge. CAPCOG provides many grants and programs for the city and is an integral part of the municipal government. Councilmember Coleman nominated Councilmember Fisher for the position. Councilmember Young seconded the motion. All were in favor and Fisher was appointed as the CAPCOG representative.

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 about the loss of parking. Councilmember Babb asked if there were any complaints. Yes, there have been complaints about people will park on the sidewalk and into the main street (290). It was also mentioned by Chief Allen that the area holds dirt and gravel after the rain. There was also concern from the owner about people hitting the building. Pillars can not be added to block the space due to being in TxDOT ride away. Councilmember Babb asked if there was an option that wouldn't mean the loss of parking. Councilmember Coleman made a motion to table the item until the applicant can be present for council questions. Councilmember Young seconded the motion. All were in favor and the item was tabled.

13. **Discussion of and action on a Professional Services Agreement between the City of Johnson City and Grant Development Services for American Rescue Plan Act (ARPA) administration and project implementation services in an amount not to exceed \$26,401.59, or ten percent (10%) of the ARPA funds awarded, and authorizing Mayor Rhonda Stell to execute said Agreement on behalf of the City Council of the City of Johnson City, Texas. (Staff)**

Grant Development Services spoke about the agreement. It is the same template as the fire hydrant agreement and GDS will agree to any changes. GDS is currently assisting 5 communities with the ARPA with more in conversation. CAO Schroder supplies that there are very strict rules that must be followed, that GDS will be paid when certain milestones are reached, and that city staff does not have the time or the knowledge to manage the federal requirements. Councilmember Young spoke about revisiting the contract when more of the regulations and requirements are published. GDS was unsure that any additional information would be released. CAO suggested for the motion to be tabled. Councilmember Coleman made a motion for the item to be tabled. Councilmember Babb seconded the motion. All were in favor and the item was tabled.

14. **Discussion of and action on the prioritization of water and wastewater improvement projects to be funded through the American Rescue Plan Act (ARPA) in the amount of \$528,031.86. (Staff)**

Public Works Director Sultemeier spoke that all the proposed items have be done. Council asked if there were other options for funding such as grants or bonds. Councilmember Young asked how you choose what projects to complete. CAO Schroder said that the list was just a presentation of the items, not a 1-10 priority ranking. Council agreed to the presented projects and allowing the CAO to move forward on pursing approved projects.

15. **Discussion of and action on a five-year Street Maintenance Plan for the City of Johnson City and authorizing the Chief Administrative Officer to prepare bid documents, advertise bid opportunities, select the lowest responsible bidders, negotiate and execute contracts with awarded firms, and pay associated costs in accordance with the adopted FYE 2022 Budget(s). (Staff)**

CAO Schroder spoke to council about the dire conditions some of the streets in town were in. Previous maintenance was not done correctly, or no maintenance was done at all. Councilmember Young made a motion to approve the five-year Street Maintenance Plan for the City of Johnson City and authorizing the Chief Administrative Officer to prepare bid documents, advertise bid opportunities, and present to council. Councilmember Guthrie seconded the motion. All were in favor and the plan was approved.

16. **Discussion of and action on the following Ordinances related to the collection of sales and use tax within the City of Johnson City:**

- a) **An Ordinance of the City Council of the City of Johnson City, Texas amending Municipal Code of Ordinances Chapter 11 *Taxation*, Article 11.03 *Sales and Use Tax* by reimposing the local sales and use tax on the residential use of gas and electricity; making other provisions related thereto, and providing for the effective date thereof; and**

Councilmember Fisher made a motion to approve the ordinance. Councilmember Coleman seconded the motion. All were in favor and the ordinance was approved.

- b) **An Ordinance of the City Council of the City of Johnson City, Texas amending Municipal Code of Ordinances Chapter 11 *Taxation*, Article 11.03 *Sales and Use Tax* by imposing the local sales and use tax on telecommunications services; making other provisions related thereto, and providing for the effective date thereof. (Staff)**

Councilmember Fisher made a motion to approve the ordinance. Councilmember Guthrie seconded the motion. All were in favor and the ordinance was approved.

17. **Presentation of and direction on proposed City of Johnson City FYE 2022 Budget(s).
(Staff)**

CAO Schroder shared the changes in the budget that differed from the previously presented documents.

With no further business to come before council, the meeting was adjourned at 8:56 p.m.

Rhonda Stell, Mayor

ATTEST:

Whitney Walston, Deputy City Secretary

**MINUTES
CITY OF JOHNSON CITY, TEXAS
CITY COUNCIL AND PLANNING & ZONING COMMISSION**

The City of Johnson City City Council and Planning & Zoning Commission met for a Joint Training Workshop on Saturday, September 11, 2021 at 10:00 a.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.

1. **Call to order.**

Mayor Stell called the training to order at 10:10 a.m.

2. **Presentation by Ann C. Bagley, FAICP, and discussion of the Planning & Zoning Commission, its responsibilities and duties, and the Commission's role in municipal planning in the State of Texas.**

The training was called to a close at 2:15 p.m.

Rhonda Stell, Mayor

ATTEST:

Whitney Walston, Deputy City Secretary

**MINUTES
CITY OF JOHNSON CITY, TEXAS
CITY COUNCIL**

The City of Johnson City City Council met for a Special Meeting on Tuesday, September 14, 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
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
Rebecca Weisenbaugh
Sharon Weisenbaugh
Katerina Dittimore
Gandolf Burrus

1. Call to order.

Mayor Stell called the meeting to order at 6:00 p.m.

OPEN SESSION:

2. Citizens to be heard.

Rebecca Weisenbaugh spoke on behalf of Sharon Weisenbaugh who resides at 504 N Ave. N. She spoke about the conditions of the property located at 504 N Ave. She cited that the property is currently violating several ordinances and is also affecting the fair market value of her home.

CONSENT AGENDA (ITEM NOS. 3 - 6):

- 3. Approval of a Resolution of the City Council of the City of Johnson City, Texas designating the Johnson City Record Courier as the official newspaper for the City of Johnson City, Texas for Fiscal Year Ending (FYE) 2022; providing that all official**

public notifications be published in said newspaper; 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)

4. Approval of a Resolution of the City Council of the City of Johnson City, Texas approving an Investment Policy and Strategy for public investment purposes for FYE 2022; 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)
5. Approval of a Resolution of the City Council of the City of Johnson City, Texas designating Investment Officer(s) for public investment purposes for FYE 2022; 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)
6. Approval of a Resolution of the City Council of the City of Johnson City, Texas approving a list of approved brokers / dealers for public investment purposes for FYE 2022; 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)

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

ITEMS FOR INDIVIDUAL CONSIDERATION:

7. Discussion of and action on an Ordinance of the City Council of the City of Johnson City, Texas making appropriations for the support of the City of Johnson City for the Fiscal Year beginning October 1, 2021 and ending September 30, 2022; appropriating money to a sinking fund to pay the interest and principal of the City's indebtedness; adopting the annual Budget(s) of the City of Johnson City for the 2021 – 2022 Fiscal Year; authorizing personnel positions and salaries; setting the 2021 – 2022 holiday schedule for City employees; authorizing the Chief Administrative Officer to expend monies and sign documents in accordance with said Budget(s); incorporating recitals; providing for severability; repealing any other Code provisions, ordinances, or parts of ordinances, and other provisions in conflict herewith; and setting an effective date. (Staff)

Councilmember Coleman made a motion to approve the ordinance as presented, funding personnel positions, and removing page nine for further discussion. Councilmember Babb seconded the motion. This was a recorded vote. Councilmember Fisher, Babb, Coleman, Guthrie, and Young were all ayes. The ordinance was approved with edits.

8. **Discussion of and action on an Ordinance of the City Council of the City of Johnson City, Texas levying an ad valorem (property) tax rate for the Tax Year 2021 in the amount of \$0.399000 cents per one hundred dollars (\$100) valuation and directing the Blanco County Appraisal District to assess, account for, and distribute the ad valorem (property) taxes as herein levied; 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 setting an effective date. (Staff)**

Councilmember Young made a motion to approve the above ordinance as presented. Councilmember Guthrie seconded the motion. This was a recorded vote. Councilmember Fisher, Babb, Coleman, Guthrie, and Young were all ayes. The ordinance was approved.

9. **Discussion of and action on an Ordinance of the City Council of the City of Johnson City, Texas ratifying the adoption of the fiscal year (FY) 2021 – 2022 municipal budget(s) raising more revenue from ad valorem (property) taxes due to increased property valuations and the addition of real property to the tax roll than in the FY 2020 – 2021 municipal budget(s); 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 setting an effective date. (Staff)**

Councilmember Guthrie made the motion to approve the ordinance as presented. Councilmember Fisher seconded the motion. All were in favor and the ordinance was approved.

10. **Discussion of and action on an Ordinance of the City Council of the City of Johnson City, Texas establishing and amending fees, costs, and fines charged by the City of Johnson City; adopting savings, repealer, and penalty clauses; and adopting an effective date. (Staff)**

Councilmember Coleman had questions about the fee schedule. The suggestion was made to approve the new proposed tap fees and in the future years, increase the utility rate costs per CPI. City Attorney Elleson said that utility fees must be changed through ordinances and that a rate study should be performed. Councilmember Coleman made a motion to increase the fees as shown with the exception of the water and sewer rates. Councilmember Guthrie seconded the motion. All were in favor and the new fee schedule was approved.

11. **Discussion of and direction on existing City of Johnson City welcome signage located at 603 S. U.S. Hwy. 281, 1039 N. U.S. Hwy. 281, and near the intersection of U.S. Hwy. 290 and Flat Creek Road, and the acquisition of access / maintenance easements from the property owners, including, but not limited to, the completion of related survey**

and easement documentation and exempting certain property owners from the payment of water impact fees. (Staff)

Councilmember Young made the request that any changes to the sign are presented and approved by the council. Attorney Elleson made the comment that we could not trade impact fees for the easement according to the local government code. This was a direction item only. Council gave approval for City Staff to move forward with the project.

12. **Discussion of and action on American Rescue Plan Act (ARPA) administration and project implementation services, including, but not limited to, a Professional Services Agreement between the City of Johnson City and Grant Development Services for the same in an amount not to exceed \$26,401.59, or ten percent (10%) of the ARPA funds awarded, and authorizing Mayor Rhonda Stell to execute said Agreement on behalf of the City Council of the City of Johnson City, Texas. (Mayor Stell)**

Grant Development Services presented to the council the contract to allow the agency to manage the ARPA funds. Concerns were raised about the need for the administration of the funds. It was reiterated that City Staff did not have the time nor knowledge to administer the reporting requirements of the funds. Councilmember Coleman made a motion to approve the contract and allow the CAO to negotiate any changes. Councilmember Guthrie seconded the motion. All were in favor and the contract was approved.

With no further business to come before the council, the meeting was adjourned at 7:26 p.m.

Rhonda Stell, Mayor

ATTEST:

Whitney Walston, Deputy City Secretary