



**AGENDA
CITY OF JOHNSON CITY, TEXAS
CITY COUNCIL**

The City of Johnson City City Council will meet for a Regular Meeting on Tuesday, March 1, 2022 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.

SUPPLEMENTAL NOTICE OF PARTICIPATION BY TELEPHONE CONFERENCE

The City of Johnson City utilizes Zoom Technologies:

Join Zoom Meeting

<https://us02web.zoom.us/j/84450812194?pwd=SEV1ZVICNmN0bXBTbFY5UlhvV1Avdz09>

Meeting ID: 844 5081 2194

Passcode: E7i5PV

Dial by your location: +1 346 248 7799 US (Houston)

Meeting ID: 844 5081 2194

Passcode: 840862

1. Call to order.
 - Invocation.
 - Pledge of Allegiance.

OPEN SESSION:

2. Citizens to be heard. The City Council may not discuss any presented issue, nor may any action be taken on any issue at this time (Attorney General Opinion JC-0169). Speakers should provide comments at the podium, and they should provide their name and address prior to speaking. Comments are limited to three (3) minutes, and this time is not transferable. Each person may only speak once. No profanity or threats will be tolerated.

REPORTS:

3. Proclamations, Presentations, and/or Reports.
 - a) Report – Chief Administrative Officer Rick Schroder.
Provide progress update to City Council on work performed / objectives achieved since the prior City Council meeting.
 - b) Report – Public Works Director Brent Sultemeier.
Provide progress update to City Council on work performed / objectives achieved since the prior City Council meeting.

REPORTS Cont.:

- c) Report – Police Chief Ross Allen.
Provide progress update to City Council on work performed / objectives achieved since the prior City Council meeting.
- d) Report – Code Enforcement Officer Jessica Oestreich.
Provide progress update to City Council on work performed / objectives achieved since the prior City Council meeting.
- e) Report – Municipal Court Judge Tom Walston and Court Clerk Patricia Mikla.
Provide progress update to City Council on work performed / objectives achieved since the prior City Council meeting.
- f) Report – Monthly Permit Report.
Provide progress update to City Council on permits issued since prior City Council meeting.
- g) Report – Johnson City Chamber of Commerce and Visitor’s Center.
Provide progress update to City Council on work performed / objectives achieved since the prior City Council meeting.
- h) Report – Lights Spectacular Hill Country Style, Inc.
Provide update to City Council on the 2021 and 2022 Lights Spectacular events, including, but not limited to, requests for future City assistance.

CONSENT AGENDA (ITEM NOS. 4 - 9):

All Consent Agenda items listed below are considered routine by City Staff and are intended to be enacted by one motion. There will be no separate discussion of these items, unless a Councilmember requests it, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

- 4. Approval of the minutes of a Work Session and Regular Meeting dated February 1, 2022 and a Special Meeting dated February 17, 2022. (Staff)
- 5. Approval of the Fiscal Year Ending (FYE) 2022 Revenue and Expense, Check Register, and Balance Sheet Reports dated February 28, 2022. (Staff)
- 6. Approval of a Sign Permit Application from The Haloed Hippie for projecting (Qty. 1), wall (Qty. 2), and window signage, pursuant to Municipal Code of Ordinances Chapter 3 *Building Regulations*, Article 3.06 *Signs*, located within the Historic Overlay District at 117 N. Nugent Ave., Johnson City, Texas 78636, more particularly described as BCAD Prop. ID No. 5899. (Applicant)
- 7. Approval of a Resolution of the City Council of the City of Johnson City, Texas authorizing City participation in the Texas Water Development Board’s CFO to GO Program; 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)

CONSENT AGENDA Cont.:

8. Approval of an Election and Release Form for Texas Participating Subdivisions related to opioid-related claims against Teva under the terms and conditions set forth in the Teva Texas State-Wide Opioid Settlement Agreement between Teva, the State of Texas, and the Counties of Dallas, Bexar, Harris, and Tarrant; and authorizing Mayor Rhonda Stell to execute said Form on behalf of the City of Johnson City, Texas. (Staff)
9. Approval of an Ordinance of the City Council of the City of Johnson City, Texas declaring unopposed candidates in the Saturday, May 7, 2022 General Election for the office of three (3) Council Members as elected; declaring that the General Election is cancelled; repealing all ordinances or parts of ordinances in conflict therewith; providing a severability clause; and providing for an effective date. (Staff)

ITEMS FOR INDIVIDUAL CONSIDERATION:

10. Discussion of and action on a Preliminary Plat Application from Legacy Capital Funding, LLC establishing Phase One of the Homesteads at Deer Creek consisting of seventy-seven (77) lots out of the Joseph Duel Survey, Abstract No. 147 and Elijah Marshall Survey Abstract No. 393, Blanco County, Texas, more particularly described as 217 281 Loop Rd., Johnson City, Texas 78636 and BCAD Prop. ID No. 8609. (Applicant)
11. Discussion of and action on an Ordinance of the City Council of the City of Johnson City, Texas repealing and replacing the City of Johnson City Personnel Policy and Procedures Manual; authorizing the Chief Administrative Officer to take all necessary steps to implement the provisions of this Ordinance; incorporating recitals; providing for severability; and adopting an effective date. (Staff)
12. Discussion of and action on a Swimming Pool Management Proposal and Agreement between The Pool Management Group – Aquatic Management of Austin and the City of Johnson City, Texas for the management and staffing (lifeguard) of the Community Park Pool, including, but not limited to, chemical and cleaning, insurances, and swimming lesson / event services, in an amount not to exceed Forty-Thousand Nine Hundred Forty Dollars and No Cents (\$40,940.00); and authorizing Mayor Rhonda Stell to execute said Proposal / Agreement on behalf of the City of Johnson City, Texas. (Staff)
13. Discussion of and action on an Ordinance of the City Council of the City of Johnson City, Texas amending Municipal Code of Ordinances Chapter Six *Health and Sanitation* by adding Article 6.03 *Food Establishments* regarding the regulation of food establishments, including food service establishments, retail food stores, temporary food establishments, mobile food units, and roadside food vendors; authorizing the Chief Administrative Officer to take all necessary steps to implement the provisions of this Ordinance; incorporating recitals; providing for severability; and adopting an effective date. (Staff)
14. Discussion of and action on the appointment of members to the Capital Improvements Advisory Committee. (Staff)

ITEMS FOR INDIVIDUAL CONSIDERATION Cont.:

15. Discussion of and direction on the enforcement of Chapter 14 *Zoning*, Article II *Regulations*, Section 2-4 *Certificates of use and occupancy*, including, but not limited to, the inspection and issuance of a Certificate of Use and Occupancy to all occupied commercial structures within the City of Johnson City, Texas. (Staff)
16. Discussion of and direction on restricting short-term rental units within and/or upon multiple family residential dwelling units within the City of Johnson City, Texas. (Councilwoman Fisher)
17. Discussion of and direction on an Exclusive Franchise Agreement for the Collection, Hauling, and Disposal of Municipal Solid Waste and Construction and Demolition Waste dated June 1, 2002 between the City of Johnson City and IESI TX Corporation, now Waste Connections, including, but not limited to, the following:
 - Pursuant to Section 12 *Term of Agreement*, the provision of written notice of intent to terminate the Agreement;
 - The issuance of a Request for Proposal for the collection, hauling, and disposal of municipal solid waste and construction and demolition waste; and/or
 - The renegotiation and approval of an agreement for the disposal of municipal solid waste and construction and demolition waste between the City and Waste Connections. (Councilman Coleman)

Adjourn into Closed Session.

CLOSED SESSION:

18. The City Council will convene into Closed Session in accordance with Government Code:
 - §551.071 *Consultation with Attorney* and §551.072 *Deliberation Regarding Real Property* to receive legal advice and deliberate the sale of 406 W. Main St., Johnson City, Texas 78636, including, but not limited to, requests for zoning and/or allowable land use amendments applicable to the subject property. (Staff)

Adjourn into Open Session.

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

Adjourn meeting.



for _____
Rhonda Stell
Mayor

I certify that this Agenda was posted on February 25, 2022 on or before 6:00 p.m.



for Whitney Walston
City Secretary

NOTE: It is possible that a quorum of other Municipal advisory and governmental bodies may attend the above stated meeting. No action will be taken by the other Municipal advisory and governmental bodies at the above stated meeting, other than the body specifically referred to in the above notice.

The City Council reserves the right to adjourn into Closed Session at any time during this meeting to discuss any of the exceptions to the requirement that a meeting be open to the public, in accordance with Texas Government Code, Chapter 551 *Open Meetings*, Subchapter D *Exceptions to Requirement that Meetings be Open*. No action may be taken in Closed Session.

Pursuant to Texas Penal Code § 30.06 *Trespass by License Holder with a Concealed Handgun*, a person licensed under Texas Government Code, Chapter 411 *Department of Public Safety of the State of Texas*, Subchapter H *License to Carry a Handgun* may not enter City Hall with a concealed handgun.

Pursuant to Texas Penal Code § 30.07 *Trespass by License Holder with an Openly Carried Handgun*, a person licensed under Texas Government Code, Chapter 411 *Department of Public Safety of the State of Texas*, Subchapter H *License to Carry a Handgun* may not enter City Hall with a handgun that is carried openly.