



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

The City of Johnson City City Council met for a Work Session and Regular Meeting on Tuesday, February 1, 2022 at 5:00 p.m. and 6:00 p.m., respectively, 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
Teresa Babb
Clayton Young

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

1. Call to order Work Session.

Mayor Stell called the work session to order at 5:00 p.m.

2. Discussion of and direction on the City of Johnson City Personnel Policies and Procedures Manual. (Staff)

There was discussion about extending the amount of PTO hours allowed to be carried over into the next calendar year by staff. The request was made to increase the hours from 40 to 80. Council also discussed allowing firearms to be carried in City Hall. Staff noted the requested changes.

3. Call to order Regular Meeting.

Mayor Stell called the regular meeting to order at 6:08 p.m. Pastor Steve Sanchez led the invocation.

PUBLIC HEARINGS:

4. Public Hearing to give all interested persons the right to appear and be heard on the proposed annexation of the following properties:

- **One (1) parcel of property totaling 2.33 acres (BCAD Prop. ID No. 23301, Legal Description: ABS A0561 Survey 41 J. Shackelford, Acres 2.33) and one (1) parcel of property totaling 20.07 acres (BCAD Prop. ID No. 9296, Legal Description: ABS A0561 Survey 41 J. Shackelford, Acres 20.07), both addressed as 675 Old River Crossing, Johnson City, Texas 78636 and more particularly described by a survey of 22.40 acres, being situated in the Jack Shackelford Survey No. 41, Abstract No. 561, Blanco County, Texas; and**
- **One (1) parcel of property totaling 3.266 acres of land out of the Jack Shackelford Survey No. 41, Abstract No. 561 in Blanco County, Texas and being a portion of Old River Crossing Road in said Blanco County, Texas and one (1) parcel of property totaling 1.533 acres of land out of the Jack Shackelford Survey No. 41, Abstract No. 561 in Blanco County, Texas and being a portion of Old River Crossing Road in said Blanco County, Texas.**

The public hearing opened at 6:10 p.m. and closed at 6:11 p.m.

5. **Public Hearing to give all interested persons the right to appear and be heard on a Zoning Amendment Application from Om Shree Disval for a change in zoning from "Highway Commercial Corridor District" (HC) to "Planned Unit Development District" (PUD) for Hill Country Inn located at 203 S. U.S. Hwy. 281, Johnson City, TX 78636.**

The public hearing opened at 6:12 p.m. Steve Sanchez spoke about the need for workers. He sees this as a bonus for the community. The public hearing closed at 6:13 p.m.

OPEN SESSION:

6. **Citizens to be heard.**

There were no citizen comments.

REPORTS:

7. Proclamations, Presentations, and/or Reports.

- a) **Proclamation – Mayor Rhonda Stell.**

Mayor Stell read the School Board Recognition Month proclamation and the President George Washington Day proclamation and presented it to Blair Rudy.

- b) **Report – Chief Administrative Officer Rick Schroder.**

CAO Schroder presented and spoke on the topics included in his report. The report was provided in the council packet

- c) **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
- d) **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.
- e) **Report – Code Enforcement Officer Jessica Oestreich.**

The report was provided in the council packet.
- f) **Report – Municipal Court Judge Tom Walston and Court Clerk Patricia Mikla.**

The report was provided in the council packet.
- g) **Report – Monthly Permit Report.**

The report was provided in the council packet.
- h) **Report – Johnson City Chamber of Commerce and Visitor’s Center.**

Financial details were provided in the council packet. Traffic at the visitors center is still very low. They will be holding the Savor the Hill Country event on May 22nd.
- i) **Report – Lights Spectacular Hill Country Style, Inc.**

Light Spectacular was not present.

CONSENT AGENDA (ITEM NOS. 8 - 15):

- 8. **Approval of the minutes of the Regular Meeting of the City Council dated January 4, 2022. (Staff)**
- 9. **Approval of the Fiscal Year Ending (FYE) 2022 Revenue and Expense, Check Register, and Balance Sheet Reports dated January 31, 2022. (Staff)**
- 10. **Approval of an Engineering Services Agreement between the City of Johnson City, Texas and S.D. Kallman, L.P. for engineering services related to improvements to the City’s water distribution and wastewater collection systems in the maximum amount of Eighty-One Thousand Dollars and No Cents (\$81,000.00). (Staff)**

11. **Approval of an Election and Release Form for Texas Participating Subdivisions related to opioid-related claims against Endo Health Solutions, Inc., Endo Pharmaceuticals, Inc., Endo International PLC, Par Pharmaceutical, Inc., and Par Pharmaceutical Companies, Inc. under the terms and conditions set forth in the Endo/Par Texas State-Wide Opioid Settlement Agreement between Endo/Par, 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)**
12. **Approval of an Ordinance of the City Council of the City of Johnson City, Texas amending the Municipal Code of Ordinances by adding Chapter 15 *Environment*, Article I *Tree Preservation and Landscaping*; and providing for an effective date. (Staff)**
13. **Approval of the City of Johnson City, Texas' participation in a single, community-wide Hazard Mitigation Action Plan with Blanco County, Texas; and authorizing Mayor Rhonda Stell to execute a letter of commitment pledging to actively participate in the planning process and, should it become necessary, contribute a proportional amount of funds for the same. (Staff)**
14. **Approval of an Ordinance of the City Council of the City of Johnson City, Texas providing for the extension of the Johnson City City limits by the annexation of one (1) parcel of property totaling 3.266 acres of land out of the Jack Shackelford Survey No. 41, Abstract No. 561 in Blanco County, Texas and being a portion of Old River Crossing Road in said Blanco County, Texas and one (1) parcel of property totaling 1.533 acres of land out of the Jack Shackelford Survey No. 41, Abstract No. 561 in Blanco County, Texas and being a portion of Old River Crossing Road in said Blanco County, Texas; granting to all inhabitants of said property all of the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of the City; 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; setting an effective date; and approving a Municipal Service Plan for such area. (Staff)**
15. **Approval of an Ordinance of the City Council of the City of Johnson City, Texas providing for the extension of the Johnson City City limits by the annexation of one (1) parcel of property totaling 2.33 acres (BCAD Prop. ID No. 23301, Legal Description: ABS A0561 Survey 41 J. Shackelford, Acres 2.33) and one (1) parcel of property totaling 20.07 acres (BCAD Prop. ID No. 9296, Legal Description: ABS A0561 Survey 41 J. Shackelford, Acres 20.07), both addressed as 675 Old River Crossing, Johnson City, Texas 78636 and more particularly described by a survey of 22.40 acres, being situated in the Jack Shackelford Survey No. 41, Abstract No. 561, Blanco County, Texas; granting to all inhabitants of said property all of the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of the City; 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; setting an effective date; and approving a Municipal Service Plan for such area. (Staff)

Councilmember Coleman requested that items 10 and 12 be pulled from the consent agenda for further discussion.

Councilmember Coleman made the motion to approve the consent agenda not including items 10 and 12. Councilmember Fisher seconded the motion. All were in favor and the consent agenda was approved.

Councilmember Coleman asked for clarification on the \$80,000 cost of the agreement. CAO Schroder spoke that it would be paid out of the ARPA funds and monthly.

Councilmember Guthrie and Coleman but had questions about trimming vs. pruning and what the definitions of each would be.

Councilmember Coleman made the motion to approve item 10 and 12. Councilmember Babb seconded the motion. All were in favor and the items were approved.

ITEMS FOR INDIVIDUAL CONSIDERATION:

16. **Discussion of and action on a Zoning Amendment Application from Om Shree Disval for a change in zoning from "Highway Commercial Corridor District" (HC) to "Planned Unit Development District" (PUD) for Hill Country Inn located at 203 S. U.S. Hwy. 281, Johnson City, Texas 78636. (Applicant)**

The applicant spoke briefly about how he purchased the property in 2010. He currently manages 260 apartment units in the area. He is currently impacted by the lack of workers and sees the need for apartments in Johnson City. He also noted that banks are hesitant to loan money to hotels currently. He feels like he has the infrastructure in place to transition the property into apartments. His other option is to go to a longer-term for the hotel rental. Councilmember Fisher asked if the units would be furnished or unfurnished. They would be a combination of both. Councilmember Babb asked if this would be a permeant change. If the property was sold could it become something else? CAO Schroder said no, the new zoning would continue with the property. Councilmember Coleman asked about storage and parking. There were also questions about green space, and the plan to secure the perimeter since it's close to the highway. Councilmember Young commented that it was just not the right location and moved to deny the application. Councilmember Guthrie seconded the motion. All were in favor and the application was denied.

17. **Discussion of and action on an Ordinance of the City Council of the City of Johnson City, Texas revising and amending Chapter 8 *Offenses and Nuisances* by adding**

Article 8.04 Noise to the City Code of Ordinances; adding misdemeanor penalties and fines; and providing for an effective date. (Staff)

Councilmember Babb asked for comments from the police department regarding the ordinance. Councilmember Coleman requested that the commercial dB level be changed from 85 dB to 70 dB at the property line. Councilmember Coleman made the motion to approve the ordinance with noted changes. Councilmember Young seconded the motion. All were in favor and the motion passed.

18. **Discussion of and action on an Ordinance of the City Council of the City of Johnson City, Texas revising and amending Chapter 2 *Animal Control* of the City Code of Ordinances; revising misdemeanor penalties and fines; and providing for an effective date. (Staff)**

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

19. **Discussion of and action on a proposal for Water and Wastewater Capital Improvements Plan Update and Impact Fee Study for the City of Johnson City. (City Engineer)**

Councilmember Coleman made the motion to approve the proposal. Councilmember Guthrie seconded the motion. All were in favor and the proposal was approved.

20. **Discussion of and action on the City of Johnson City Personnel Policies and Procedures Manual. (Staff)**

Councilmember Coleman made the motion to table the item until the next regular meeting. Councilmember Babb seconded the motion. All were in favor and the item was tabled.

21. **Discussion of and direction on restricting short-term rental units within or upon certain areas and/or property types within the City of Johnson City. (Councilwoman Fisher)**

The Council was in agreement that steps needed to be taken to protect certain types of property within the city. Legal options were discussed and the concern would be investigated further.

Adjourn into Closed Session.

Council adjourned into closed session at 7:32 p.m.

CLOSED SESSION:

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

- **§551.074 Personnel Matters to deliberate the continued appointment of Planning and Zoning Commissioner Victor Hammond.**

Adjourn into Open Session.

Council convened into open session at 7:58 p.m.

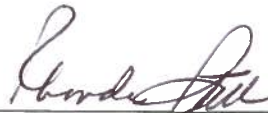
23. Discussion of and action on matters discussed in Closed Session. (Staff)

Councilmember Fisher moved to end the appointment of Planning and Zoning Commissioner Hammond. Councilmember Babb seconded the motion. All were in favor and the motion passed.

24. Discussion of and action on the appointment of Stephanie Bass to the Planning and Zoning Commission. (Councilwoman Babb)

Councilmember Fisher made the motion to approve the appointment of Stephanie Bass to the planning and zoning commission. Councilmember Young seconded the motion. Councilmember Guthrie abstained due to family relations with the applicant. All others were in favor and the Commissioner was appointed.

With no further business before the council, the meeting was adjourned at 9:45 p.m.



Rhonda Stell, Mayor
City of Johnson City, Texas

ATTEST:



Whitney Walston, City Secretary