

6

MINUTES
CITY OF JOHNSON CITY, TEXAS
CITY COUNCIL

The City of Johnson City City Council met for a Regular Meeting on Tuesday, September 6, 2022, 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
Stephanie Fisher
Teresa Babb
Patricia Dildine

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

Citizens: Tricia Hartmann
Steve Sanchez
Kip Thompson
Debra Burkhard
Bart Burkhard
Charli Russell
Anne Burger
Bob & Lin Corrigan
Sara Allen

1. **Call to order.**

The meeting was called to order at 6:00 pm by Mayor Stell.

PUBLIC HEARINGS:

2. **Public Hearing to give all interested persons the right to appear and be heard on the proposed Fiscal Year Ending (FYE) 2023 Budget(s). (Staff)**

- a) **Discussion of and action on the postponement of a vote on the final FYE 2023 Budget(s) until the Special Meeting of the City Council on Tuesday, September 20, 2022 at 6:00 p.m. in the City Hall Council Chamber, 303 E. Pecan Drive, Johnson City, Texas 78636.**

The public hearing opened at 6:00 and closed at 6:02. Councilmember Fisher made the motion to approve the postponement of a vote on the final FYE 2023 Budget(s) until the Special Meeting of the City Council on Tuesday, September 20. Councilmember Guthrie seconded the motion. All were in favor and the motion was approved.

3. **Public Hearing to give all interested persons the right to appear and be heard on the proposed Tax Year 2022 ad valorem (property) tax rate. (Staff)**

- a) **Discussion of and action on the postponement of a vote on the Tax Year 2022 ad valorem (property) tax rate until the Special Meeting of the City Council on Tuesday, September 20, 2022 at 6:00 p.m. in the City Hall Council Chamber, 303 E. Pecan Drive, Johnson City, Texas 78636.**

The public hearing opened and closed at 6:04 pm. Councilmember Babb made the motion to postpone the vote on the Tax Year 2022 ad valorem (property) tax rate until the Special Meeting of the City Council on Tuesday, September 20, 2022.

OPEN SESSION:

4. Citizens to be heard.

Kip Thompson spoke about fiscal responsibility.

5. Proclamations, Presentations, and/or Reports.

- a) **Proclamations – Mayor Rhonda Stell.**
A proclamation for Patriot Day and the National Day of Service and Remembrance and World Teachers’ Day was presented.
- b) **Report – Chief Administrative Officer Rick Schroder.**
There was no report.
- 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 Building Permit Report.**
The report was provided in the council packet.
- h) **Report – Monthly Work Order Report.**
The report was provided in the council packet.

- i) **Report – Johnson City Chamber of Commerce and Visitor’s Center.**
It was reported that new billboards were installed. Market Days were slow due to the heat. There were 187 contacts for the month.

CONSENT AGENDA (ITEM NOS. 6 - 10):

6. **Approval of the minutes of the Regular and Special Meetings of the Johnson City City Council dated, respectively, August 2, 2022 and August 16, 2022. (Staff)**
7. **Approval of an Ordinance of the City Council of the City of Johnson City, Texas authorizing certain budget amendments pertaining to the adopted Fiscal Year Ending (FYE) 2022 budgets; incorporating recitals; authorizing the Chief Administrative Officer (CAO) to take all necessary steps to implement the provisions of this Ordinance and ratifying certain budget amendments implemented by the CAO on September 1, 2022; providing for severability; repealing all ordinances in conflict herewith; and setting an effective date. (Staff)**
8. **Approval of the Fiscal Year Ending (FYE) 2022 Revenue and Expense, Check Register, and Balance Sheet Reports dated September 1, 2022. (Staff)**
9. **Approval of a Resolution of the City Council of the City of Johnson City, Texas supporting the Report of the 2022 Texas Municipal League Municipal Policy Summit, including, but not limited to, the Report’s commitment to seek introduction and passage of legislation related to emergency services districts; 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)**
10. **Approval of a Resolution of the City Council of the City of Johnson City, Texas authorizing the submission of a grant application to the Office of the Governor’s Public Safety Office for the Bullet-resistant Shield Grant Program, FY 2023; authorizing the Chief of Police to take all necessary steps to implement the provisions of this Resolution; incorporating recitals; providing for severability; and adopting an effective date. (Staff)**

Councilmember Dildine motioned for the approval of the consent agenda. Councilmember Guthrie seconded the motion. All were in favor and the consent agenda was approved.

ITEMS FOR INDIVIDUAL CONSIDERATION:

11. **Presentation by Anne Burger Entekin, Regional Managing Director of Hilltop Securities, and discussion of and direction on the issuance of debt in the approximate amount of One Million, Five Hundred Thousand Dollars and No Cents (\$1,500,000.00) for street maintenance / improvement projects, including the following “complete streets” projects / activities:**

- a. **Removal / maintenance of vegetation;**
- b. **Repair / cleaning / maintenance / installation of drainage culverts and other drainage structures within rights-of-way;**
- c. **Repair / maintenance of existing sidewalks;**
- d. **Repair / maintenance / installation of street signage;**
- e. **Repair / maintenance / installation of street pavement; and**
- f. **Repair / maintenance / installation of street striping. (Staff)**

Council agrees to continue with fact finding process with an emphasis on public input.

12. **Pursuant to Municipal Code of Ordinances Chapter One *General Provisions*, Article 1.02 *Authority and Powers*, Division Two *Use of Official City Seal and Other Insignia*, discussion of and action on requests by Mrs. Debbie Burkhard and Mr. / Mrs. Woody Gish to use the City logo for retail purposes, including, but not limited to, shot glasses, fabric shopping / tote / wine bags, magnets, and other souvenir items. (Applicant)**

Councilmember Dildine made the motion to grant the use of the city logo to both parties (Burkhard and Gish). Councilmember Guthrie seconded the motion. Councilmember Fisher requested the motion to be amended to add a 6-month review of the use. Councilmember Dildine amended the motion and Councilmember Guthrie seconded the amended motion. All were in favor and the item was approved.

13. **Discussion of and action on a Chapter 380 Economic Development Award and Loan Agreement between the City of Johnson City, Texas and Titan Milling, Inc. for the relocation of the entity's business operations to the City and the renovation of 401 E. Main St., Johnson City, Texas 78636 in the amount of Twenty-Five Thousand Dollars and No Cents (\$25,000.00). (Applicant)**

Councilmember Babb made the motion to accept the agreement with the change to 6.15 to include the addition of a \$5,000 annual scholarship. Councilmember Fisher seconded the motion. All were in favor and the motion was approved.

14. **Pursuant to Section 5 *Management of Funds* of a Hotel Occupancy Tax (HOT) Funding Agreement dated February 2021 between the City of Johnson City, Texas and the Johnson City Chamber of Commerce, discussion of and action on the Chamber's FYE 2023 HOT Fund Budget. (Chamber)**

Councilmember Fisher made the motion to table the item. Councilmember Guthrie seconded the motion. All were in favor and the item was tabled.

15. **Discussion of and action on casting votes for the Board of Trustees, Places 6 – 9, of the Texas Municipal League Intergovernmental Risk Pool. (TML-IRP)**

Councilmember Babb made the motion to select Councilmember Fisher to place 9. Councilmember Guthrie seconded the motion. All were in favor and the motion was approved.

16. **Presentation of and discussion on proposed City of Johnson City FYE 2023 Budget(s). (Council / Staff)**

This was a discussion-only item. No action was taken.

17. **Discussion of and action on a Resolution of the City Council of the City of Johnson City, Texas regarding a financing agreement for the purpose of procuring heavy equipment, including a backhoe loader and a trailer mounted Sludge Mate®, in the amount of Two Hundred Ninety-Seven Thousand, Seven Hundred Ninety-Four Dollars and Six Cents (\$297,794.06), for a term of four (4) (4.70%) or five (5) (4.75%) years with payments payable from the Vehicle & Equipment Replacement Program (VERP) Fund. (Staff)**

Councilmember Dildine made a motion to approve the resolution regarding the financing agreement to procure heavy equipment for a five-year term and to be funded from the VERP fund. Councilmember Fisher seconded the motion. All were in favor and the resolution passed.

With no further business before the council, the meeting was adjourned at 8:20 pm.

Rhonda Stell, Mayor
City of Johnson City, Texas

ATTEST:

Whitney Walston, 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 20, 2022 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
Stephanie Fisher
Teresa Babb
Patricia Dildine
Shelton Coleman

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

Citizens: Tricia Hartmann
Sam Richardson
Barbara Hudson

1. Call to order.

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

OPEN SESSION:

2. Citizens to be heard.

Sam Richardson spoke about fire response in the district and JCVFDs community first mission.

PROCLAMATION:

3. A proclamation proclaiming October 2022 as Hill Country Night Sky Month within the City of Johnson City, Texas. (Mayor Stell)

Mayor Stell presented a proclamation proclaiming October 2022 as Hill Country Night Sky Month to Blanco County Friends of the Night Sky.

CONSENT AGENDA (ITEM NOS. 4 - 9):

4. **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) 2023; 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)**
5. **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 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. (Staff)**
6. **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 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. (Staff)**
7. **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 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. (Staff)**
8. **Approval of a Resolution of the City Council of the City of Johnson City, Texas repealing Resolution No. R20-044 and implementing GASB Statement 54 requirements; 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)**
9. **Approval of a Resolution of the City Council of the City of Johnson City, Texas supporting the draft 2022 Lower Colorado-Lavaca Regional Flood Plan, including, but not limited to, the Report's inclusion of emergency management, drainage, and floodplain projects within Blanco County and Johnson City; 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. Councilmember Guthrie seconded the motion. All were in favor and the items were approved.

ITEMS FOR INDIVIDUAL CONSIDERATION:

10. **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, 2022 and ending September 30, 2023; 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 2022 – 2023 Fiscal Year; authorizing personnel positions and salaries; setting the 2022 – 2023 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 Dildine made a motion to approve 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, 2022 and ending September 30, 2023; 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 2022 – 2023 Fiscal Year; authorizing personnel positions and salaries; setting the 2022 – 2023 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.

Councilmember Fisher seconded the motion.

Gayla Guthrie – Yes
Stephanie Fisher – Yes
Teresa Babb – Yes
Patricia Dildine – Yes
Shelton Coleman – Yes

All were in favor and the motion carried.

11. **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 2022 in the amount of \$0.356900 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 Fisher moved that the property tax rate be increased by the adoption of a tax rate of \$0.356900 per \$100 valuation, which is effectively a 14.65% increase in the tax rate. This motion includes:

- 1) the adoption of an ad valorem (property) tax rate for the Maintenance and Operations expenditures of the City of Johnson City at \$0.249200 cents per \$100 valuation for the Tax Year beginning January 1, 2022 and ending December 31, 2022; and
- 2) the adoption of an ad valorem (property) tax rate for the principal and interest payable on the Interest and Sinking (debt service) expenditures of the City of Johnson City at \$0.107700 cents per \$100 valuation for the Tax Year beginning January 1, 2022 and ending December 31, 2022.

Councilmember Guthrie seconded the motion.

Gayla Guthrie – Yes
Stephanie Fisher – Yes
Teresa Babb – Yes
Patricia Dildine – Yes
Shelton Coleman – Yes

12. **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) 2022 – 2023 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 2021 – 2022 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 Dildine made the motion to approve an Ordinance of the City Council of the City of Johnson City, Texas ratifying the adoption of the fiscal year (FY) 2022 – 2023 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 2021 – 2022 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.

Councilmember Babb seconded the motion.

Gayla Guthrie – Yes
Stephanie Fisher – Yes
Teresa Babb – Yes
Patricia Dildine – Yes
Shelton Coleman – Yes

All were in favor and the motion carried.

13. **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 Babb made to motion to approve the 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. Councilmember Guthrie seconded the motion. Councilmembers Fisher, Guthrie, Babb, and Coleman were in favor, and Councilmember Dildine opposed.

The motion carried 4-1.

14. **Pursuant to Section 5 *Management of Funds* of a Hotel Occupancy Tax (HOT) Funding Agreement dated February 2021 between the City of Johnson City, Texas and the Johnson City Chamber of Commerce, discussion of and action on the Chamber's FYE 2023 HOT Fund Budget. (Chamber/Council)**

Councilmember Fisher moved to table the item until the chamber was available to attend. Councilmember Babb seconded the motion. All were in favor and the item was tabled.

The council adjourned into closed session

CLOSED SESSION:

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

§551.071 *Consultation with Attorney* and §551.087 *Deliberation regarding Economic Development Negotiations* to receive legal advice and deliberate a Chapter 380 Economic Development Award and Loan Agreement between the City of Johnson City, Texas and Titan Milling, Inc. for the relocation of the entity's business operations to the City and the renovation of 401 E. Main St., Johnson City, Texas 78636 in the amount of Twenty-Five Thousand Dollars and No Cents (\$25,000.00). (Staff)

The council adjourned into open session at 7:16 pm.

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

Councilmember Coleman made the motion to direct staff to obtain more information regarding the Chapter 380 agreement from Titan Milling. Councilmember Guthrie seconded the motion. All were in favor and the motion was approved.

With no further business before the council, the meeting was adjourned at 7:17 pm.

Rhonda Stell, Mayor
City of Johnson City, Texas

ATTEST:

Whitney Walston, City Secretary