



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

The City of Johnson City City Council will meet for a Special Meeting on Tuesday, November 8, 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/83861319398?pwd=bTRYU29vdmIwYlI2RlU5ek41TE9yZz09>

Meeting ID: 838 6131 9398

Passcode: sqT6UA

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

Meeting ID: 838 6131 9398

Passcode: 194412

1. Call to order.

**PUBLIC HEARING:**

2. Public Hearing to give all interested persons the right to appear and be heard on a change in zoning from "Single Family Residential District" (SF) to "Commercial District" (CD) for properties located at:
  - 100 Plum Short, Johnson City, TX 78636;
  - 102 Plum Short, Johnson City, TX 78636; and
  - 408 W. Main St., Johnson City, TX 78636.

**OPEN SESSION:**

3. 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:**

4. 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.*
  - 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) Building Permit Report.  
*Provide progress update to City Council on permits issued since the 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, including, but not limited to, a reconciliation of quarterly Hotel Occupancy Tax (HOT) payments and qualifying HOT expenditures for October 2021 thru September 2022.*

## **CONSENT AGENDA (ITEM NOS. 5 - 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.

5. Approval of the minutes of the Special and Workshop Meetings of the Johnson City City Council dated, respectively, October 11, 2022 and October 17, 2022. (Staff)
6. Approval of the Fiscal Year Ending (FYE) 2023 Revenue and Expense, Check Register, and Balance Sheet Reports dated October 31, 2022. (Staff)
7. Approval of the appointment of Bart Burkhard to the Planning and Zoning Commission. (Applicant / City Council)
8. Approval of a Resolution of the City Council of the City of Johnson City, Texas approving and certifying the Blanco County Appraisal District and Tax Assessor-Collector’s 2022 Tax Roll, as required by State Property Tax Code Ann. §26.09(e); authorizing the Chief

## **CONSENT AGENDA Cont.:**

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 approving and authorizing the donation of a portion of a Municipal street, i.e. Avenue D (otherwise known as N. LBJ Dr.), to the Johnson City Independent School District; providing for termination of the Lease Agreement between the City and the District; and providing for an effective date. (Staff)

## **ITEMS FOR INDIVIDUAL CONSIDERATION:**

10. Discussion of and action on an Ordinance of the City Council of the City of Johnson City, Texas rezoning 100 Plum Short, 102 Plum Short, and 408 W. Main St., Johnson City, TX 78636 from “Single Family Residential District” to “Commercial District”; declaring a public purpose; 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. (City Council)
11. Discussion of and action on a request for a variance by Blanco County from, generally, fire-resistance, fire separation distance, and fire barrier requirements contained within International Building Code Table 602 *Fire-resistance Rating Requirements for Exterior Walls based on Fire Separation Distance*, Figure 705.8 *Maximum Area of Exterior Wall Openings based on Fire Separation Distance and Degree of Opening Protection*, and Section 707.5 *Continuity* for the Historic Blanco Co. Jail complex located at 105 N. Ave. G, Johnson City, TX 78636, more particularly described as BCAD Prop. ID No. 1726. (Applicant)
12. 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 and a 4<sup>th</sup> Quarter 2022 Marketing Plan for the Visitor Center. (Chamber / City Council)
13. Discussion of and action on the following amendments to the Municipal Code of Ordinances related to floodplain regulation and management:
  - An Ordinance amending Section 2.8 of Chapter 10 *Subdivision Regulation*, Article 10.02 *Subdivision Ordinance* of the City of Johnson City Code of Ordinances; and providing for an effective date;
  - An Ordinance amending Article 10.03 *Stormwater Detention and Drainage* of Chapter 10 *Subdivision Regulation* of the City of Johnson City Code of Ordinances; and providing for an effective date;

**ITEMS FOR INDIVIDUAL CONSIDERATION Cont.:**

- An Ordinance amending Appendix B: *Design Standards and Specifications Manual* of Chapter 10 *Subdivision Regulation*, Article 10.02 *Subdivision Ordinance* of the City of Johnson City Code of Ordinances; and providing for an effective date; and
  - An Ordinance amending Article 3.04 *Flood Damage Prevention* of the City of Johnson City Code of Ordinances; and providing for an effective date. (Floodplain Administrator)
14. Discussion of and action on an Ordinance amending Section 1.03.032 of Chapter One *General Provisions*, Article 1.03 *City Council* of the City of Johnson City Code of Ordinances; setting regular meeting dates of the City Council; and providing for an effective date. (City Attorney)
15. Discussion of and action on awarding a Bid for Landscaping Services to BrightView Landscape Services for:
- Irrigation services at Memorial Park (105 E. Main St.) and the Community Park (620 N. Nugent Ave.), including, but not limited to, the Community Park Walking Trail and Rainwater Collection System (\$47,412.28); and
  - Landscape improvement services at Memorial Park (\$39,190.74) and the Community Park (\$16,680.01); and
  - Tree trimming / tree replacement services at Memorial Park, the Community Park, City Hall (303 E. Pecan Dr.), and along public rights-of-way (approx. 100 E. Pecan Dr.) (\$10,450.00), including, but not limited to, an installed price per tree size (\$475.02 / 30 gal., \$728.69 / 45 gal., and \$966.88 / 60 gal.); and
  - Landscaping services at Memorial Park, the Community Park and associated Walking Trail, the James Polk Johnson Cemetery, and three (3) welcome sign locations throughout the City (\$40,922.67 annually); and

directing that the City Attorney review and approve as to form the related service agreements and proposals and authorizing the Chief Administrative Officer to execute said service agreements and proposals on behalf of the City Council of the City of Johnson City, Texas. (Staff)

***Adjourn into Closed Session.***

**CLOSED SESSION:**

16. The City Council will convene into Closed Session in accordance with Government Codes:
- §551.071 *Consultation with Attorney* to receive legal advice and deliberate the City of Johnson City's collection of sales and use taxes in newly annexed areas, including, but not limited to, the following:

**CLOSED SESSION Cont.:**

- Tax Code Chapter 321 *Municipal Sales and Use Tax Act*;
  - Health and Safety Code Chapter 775 *Emergency Services Districts* (ESDs);
  - Blanco County ESD No. 1 sales and use tax collections; and
  - An agreement allocating sales and use tax collections among the aforementioned entities. (Staff)
- §551.074 *Personnel Matters* to deliberate a performance evaluation of Chief Administrative Officer Rick Schroder. (Mayor Stell)

***Adjourn into Open Session.***

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

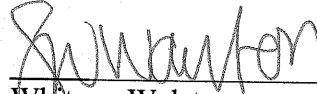
***Adjourn meeting.***

*for*



Rhonda Stell  
Mayor

I certify that this Agenda was posted on November 4, 2022 at 4 p.m.



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.