

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

The City of Johnson City City Council met 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 was an open meeting, subject to the open meeting laws of the State of Texas.

Present: Rhonda Stell, Mayor
Gayla Guthrie
Stephanie Fisher
Shelton Coleman
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
Stacy Kamas
Bob Corrigan
Karen Dye
Dave Hill
M. Scherer
E. Burkhart

1. Call to order.

Mayor Stell called the meeting to order at 6:00 with Mr. Hill leading the invocation. The pledge followed.

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.**

The public hearing opened and closed at 6:02 pm. There were no comments

OPEN SESSION:

3. **Citizens to be heard.**

Stacy Kamas spoke about concerns regarding the recently enacted animal control ordinance. Bob Corrigan spoke a word of thanks on the prompt response to the request at the Polk Cemetery.

REPORTS:

4. **Proclamations, Presentations, and/or Reports.**

- a) **Report – Chief Administrative Officer Rick Schroder.**
CAO Schroder presented and spoke on the topics included in his report.
- 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 – Code Enforcement Officer Jessica Oestreich.**
The report was provided in the council packet.
- e) **Report – Municipal Court Judge Tom Walston and Court Clerk Patricia Mikla.**
The report was provided in the council packet.
- f) **Report – Monthly Building Permit Report.**
The report was provided in the council packet.
- g) **Report – Johnson City Chamber of Commerce and Visitor’s Center.**
The report was provided to the council at the time of the meeting.
- h) **Report – Johnson City Chamber of Commerce and Visitor’s Center.**
A website Traffic and Social Media Marketing Report for Oct 2022 was provided.

CONSENT AGENDA (ITEM NOS. 5 - 9):

- 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 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)**

Councilmember Dildine motioned to approve the consent agenda as presented. Councilmember Guthrie seconded the motion. All were in favor and the consent agenda was approved.

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)**

Councilmember Dildine motion for the approval of the ordinance. Councilmember Fisher seconded the motion. All were in favor and the ordinance was approved.

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)**

Councilmember Guthrie made the motion to approve the variance. Councilmember Dildine seconded the motion. All were in favor and the motion passed.

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 4th Quarter 2022 Marketing Plan for the Visitor Center. (Chamber / City Council)**

Councilmember Coleman motioned to approve the 2022-2023 fund budget with a 3-month (January 31st) reevaluation. Councilmember Dildine seconded the motion. Councilmember

Dildine and Coleman voted in favor of the motion. Councilmembers Fisher, Guthrie, and Babb apposed. The motion failed 2-3.

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;**
- **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)**

Councilmember Babb made the motion to approve the motion as stated with the addition of disallowing the use of wet bottom detention ponds. Councilmember Guthrie seconded the motion. All were in favor and the motion was approved.

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)**

Councilmember Fisher made the motion to set the regular meetings on the first and third Tuesday of the month beginning in January 2023. Councilmember Babb seconded the motion. All were in favor and the motion was approved.

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)**

Councilmember motioned to approve the item as presented. Councilmember Fisher seconded the motion. All were in favor and the item passed unanimously.

The council adjourned into closed session at 9:00 pm

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:**
 - **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)**

The council reopened the open session at 9:07 pm.

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

Councilmember Babb motioned to accept the provided evaluation. Councilmember Coleman seconded the motion. All were in favor and the evaluation was accepted.

With no further business before the council, the meeting was adjourned at 9:09 pm.

Rhonda Stell, Mayor
City of Johnson City, Texas

ATTEST:

Whitney Walston, City Secretary