

Minutes
City Of Johnson City, Texas
City Council

The City of Johnson City City Council met for a Regular Meeting on Tuesday, April 4, 2023 at 6:00 p.m. in the Community Park Building & Event Center, 620 N. Nugent Ave., Johnson City, Texas 78636. This was an open meeting, subject to the open meeting laws of the State of Texas.

Present: Rhonda Stell
Shelton Coleman
Gayla Guthrie
Patricia Dildine
Stephanie Fisher
Teresa Babb

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

Citizens Present: Trish Hartmann, JCRC
Chris DeBremacker
Sherry Conlon
Bob & Lin Corrigan
Walter and Melissa Baldress
Jenice Adams
Zeb Miller
James Carter
Dan Geary
Vera Neinast
Lisa Atckison
Kris Smale
Jamie Whitfill
Nancy and Mark Hood
Lynn Moore
Debbie Regino
Sarah Barrett
Don Barrett
Jimmy Boatright
Barbara Hudson
Robert & Lydia Nida
Diane Burke
Adelle Moreland

1. **Call to order.**

Mayor Stell called the meeting to order at 6:00 pm. Pastor Steve Sanchez led the invocation.

OPEN SESSION:

2. **Citizens to be heard.**

Chris DeBremaecker, Zeb Miller, Don Deary, Diane Burke, Lisa Atckison, Vera Neinast, Sherry Conlon, Kris Smale, Mark Hood, Adelle Moreland, Don Barrett, Sarah Barrett, and Debbie Regino spoke during the open session. Susan Armstrong Fisher submitted written comments.

REPORTS:

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

- a) **Report – Chief Administrative Officer Rick Schroder.**
CAO Schroder presented and spoke on the topic included in his written report.
- a) **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.
- b) **Report – Police Chief Ross Allen.**
Police Chief Ross Allen presented the racial profiling report and spoke on the topics included in his report. The report was provided in the council packet.
- c) **Report – Code Enforcement Officer Jessica Oestreich.**
The report was provided in the council packet.
- d) **Report – Municipal Court Judge Tom Walston and Court Clerk Patricia Mikla.**
The report was provided in the council packet.
- e) **Building Permit Report.**
The report was provided in the council packet.
- f) **Work Order Report.**
The report was provided in the council packet.
- g) **Report – Johnson City Chamber of Commerce and Visitor’s Center.**
The Chamber reported that there were 300 people who had stopped by the Center. The mixer has an attendance of 60 people.

CONSENT AGENDA (ITEM NOS. 4 - 5):

4. **Approval of the minutes of the Regular Meetings of the Johnson City City Council dated March 7 and March 21, 2023. (Staff)**

5. **Approval of the Fiscal Year Ending (FYE) 2023 Revenue and Expense, Check Register, and Balance Sheet Reports dated March 31, 2023. (Staff)**

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

ITEMS FOR INDIVIDUAL CONSIDERATION:

6. **Pursuant to Municipal Code of Ordinances Chapter 14 Zoning, Article III Zoning Districts, Division 2 Historic Preservation, discussion of and action on a request by Pecan Street Brewing located at 106 E. Pecan Dr. to replace a front awning and associated roofing with a new awning and associated thermoplastic polyolefin (TPO) roofing supported by columns, property more particularly described as BCAD Property ID No. 2618. (Applicant)**

Councilmember Dildine made the motion to approve the request by Pecan Street Brewing. Councilmember Guthrie seconded the motion. All were in favor and the motion passed.

7. **Discussion of and action on a Resolution of the City Council of the City of Johnson City, Texas authorizing and approving publication and posting of Notice of Intention to issue City of Johnson City, Texas combination tax and surplus revenue certificates of obligation in a maximum aggregate principal amount not to exceed \$1,500,000 and providing an effective date. (Bond Counsel)**

Councilmember Fisher motioned to approve the Resolution. Councilmember Coleman seconded the motion. All were in favor and the Resolution was approved.

8. **Discussion of and action on a request by the Johnson City Chamber of Commerce for approval of an FYE 2023 Hotel Occupancy Tax (HOT) Fund Budget for April 1, 2023 through September 30, 2023 for Visitor Center and related operations. (Chamber)**

Councilmember Coleman motioned to approve a \$20 and \$15 per hour pay scale and for staff to continue discussions with the Chamber of Commerce. Councilmember Fisher seconded the motion. All were in favor and the motion was approved.

The council took a short break at 7:19 pm and returned to session at 7:29 pm.

9. **Discussion of a Development Agreement between the City of Johnson City, Texas and TX-290-1031, LLC, including questions from City Councilpersons on the same for City Staff and related persons, for the construction of a mixed-use development consisting of multifamily residential units and related amenities, commercial / retail development, and self-storage facilities on approximately 50.48 acres of land located on the south side of U.S. Hwy. 290 W. approximately 0.70 miles west of N. Nugent Ave., including, but not limited to, an Impact Fee Credit Agreement authorizing TX-290-1031, LLC to construct, at its expense, capital improvements or facility**

expansions identified within the City's Capital Improvements Plan and Impact Fee Study dated July 2022. (Councilmembers Babb & Fisher)

The council requested that a parkland dedication be included in the development agreement along with increasing the rainwater catchment system to 50,000 gallons, and a phased approach to additional buildings be included. There was no action on this item.

10. **Discussion of and action on a Professional Services Agreement between the City of Johnson City, Texas and Short Elliott Hendrickson, Inc. (SEH) for services related to upgrading and improving the wastewater treatment plant's aeration basins, including, but not limited to, sewer loading calculations, electrical output, evaluation of sewer aeration basin sizes, and dissolved oxygen level ranges. (Public Works Director)**

Councilmember Coleman made the motion to authorize the Professional Services Agreement in the amount of \$4,500. Councilmember Babb seconded the motion. All were in favor and the agreement was approved.

11. **Discussion of and action on the James Polk Johnson Cemetery located at the Northeast corner of the intersection of W. Pecan Dr. and N. Ave. L, including, but not limited to, tree trimming, brush and other vegetative material removal, and a proposal from Texas Cemetery Restoration, LLC to conduct a ground penetrating radar survey. (Staff)**

Councilmember Babb made the motion to approve the item as presented. Councilmember Fisher seconded the motion. All were in favor and the item was approved.

With no further business before the council, the meeting was adjourned at 9:27 pm.

Rhonda Stell, Mayor

ATTEST:

Whitney Walston, City Secretary

**Minutes
City Of Johnson City, Texas
City Council**

The City of Johnson City City Council met for a Regular Meeting on Tuesday, April 18, 2023 at 6:00 p.m. in the Community Park Building & Event Center, 620 N. Nugent Ave., Johnson City, Texas 78636. This was an open meeting, subject to the open meeting laws of the State of Texas.

Present: Rhonda Stell
Shelton Coleman
Gayla Guthrie
Patricia Dildine
Stephanie Fisher
Teresa Babb

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

Citizens Present: Trish Hartmann, JCRC
Sherry Conlon
Bob & Lin Corrigan
Walter and Melissa Baldree
Zeb Miller
Lisa Atckison
Lynn Moore
Robert & Lydia Nida
Diane Burke
Adelle Moreland
Matt McMMain, Blanco Co. Fire Inspectors Office
Allison Hohenberger
Kari & Wesley Thomas
John Almarez
Dusty Thorpe
CA Cowsert
Megan Baker
Sarah Allen
Gabi Shannon
Walter Mayes
Steven Goeken
Debbie Moore

1. **Call to order.**

Mayor Stell called the meeting to order at 6:00 pm. Councilmember Babb led the invocation.

PUBLIC HEARING:

2. **Public Hearing to give all interested persons the right to appear and be heard on the City of Johnson City's issuance of combination tax and surplus revenue certificates of obligation in the maximum aggregate principal amount not to exceed \$1,500,000 for various capital improvement projects, including street, sidewalk, and drainage improvements.**

The public hearing opened at 6:02 pm and closed at 6:15 pm. Citizens Adelle Moreland, Diane Burke, Sherry Conlon, and CA Cowsert spoke during the hearing.

OPEN SESSION:

3. **Citizens to be heard.**

Matt Mcmain, Lisa Atckison, Kari Thomas, Zeb Miller, Sherry Conlon, Diane Burke, Adelle Moreland, and C.A. Cowsert spoke during the open session.

PROCLAMATION:

4. **A Proclamation proclaiming April 22, 2023 as Earth Day in the City of Johnson City, Texas. (Mayor Stell)**

Mayor Stell read the Proclamation.

CONSENT AGENDA (ITEM NOS. 5 - 6):

5. **Approval of a Professional Services Agreement between John Almarez, dba "360 Zone", and the City of Johnson City, Texas for Google Business Photography, including, but not limited to, an Application and Agreement for the Google Business Photos Service Program and Release and Waiver of Liability form. (City Staff)**

6. **Approval of the City of Johnson City Quarterly Investment Report for quarter ending March 31, 2023. (City Staff)**

Councilmember Fisher motioned to approve the Consent Agenda. Councilmember Dildine seconded the motion. All were in favor and the Consent Agenda was approved.

ITEMS FOR INDIVIDUAL CONSIDERATION:

7. **Presentation by Atchley & Associates, L.L.P. and discussion of and action on the City of Johnson City's Fiscal Year Ending (FYE) 2022 Annual Financial and Independent Auditors' Reports. (Auditor)**

Jeremy Myers from Atchley & Associates presented the FYE 2022 Financial Audit. Councilmember Coleman made the motion to approve the audit. Councilmember Fisher seconded the motion. All were in favor and the item was approved.

8. **Discussion of and direction on a request by the Johnson City Chamber of Commerce for approval of an FYE 2023 Hotel Occupancy Tax (HOT) Fund Budget for April 1, 2023 through September 30, 2023 for Visitor Center and related operations. (Chamber)**

The council directed staff to proceed with the creation of a agreement for \$24,500 for the next 6 months.

9. **Discussion of and action on the affirmation and/or ratification of a 2003 Interlocal Agreement between the City of Johnson City and Blanco County regarding the regulation of subdivision plats and the approval of related permits pursuant to Local Government Code Section 242.001. (County)**

This item was requested to be discussed in a closed session in accordance with §551.071 *Consultation with Attorney* to receive legal advice after item 10.

The Council convened into closed session at 8:55 pm and returned to open session at 9:12 pm.

Councilmember Dildine made the motion to reaffirm the Ratification of a 2003 Interlocal Agreement between the City and Blanco County regarding subdivision plats and approval of related permits. Councilmember Babb seconded the motion. All were in favor and the item was approved.

Council took at short break at 7:06 pm and returned at 7:12 pm.

10. **Discussion of and action on a Resolution of the City Council of the City of Johnson City, Texas approving a Development Agreement between the City of Johnson City and TX-290-1031, LLC for the construction of a mixed-use development consisting of multifamily residential units and related amenities, commercial / retail development, and self-storage facilities on approximately 50.48 acres of land located on the south side of U.S. Hwy. 290 W. approximately 0.70 miles west of N. Nugent Ave., including, but not limited to, an Impact Fee Credit Agreement authorizing TX-290-1031, LLC to construct, at its expense, capital improvements or facility expansions identified within the City's Capital Improvements Plan and Impact Fee Study dated July 2022. (City Council)**

Councilmember Guthrie mad the motion to approve the Development Agreement between the City of Johnson City and TX-290-1031, LLC and approve the Resolution authorizing the Impact Fee Agreement with revision of Section 1.4.8, 1.4.10 changing clubhouse to stormwater detention and 141.14 parkland dedication. Councilmember Dildine seconded the motion. Councilmember Babb, Coleman, Guthrie, and Dildine were ayes, with Councilmember Fisher dissenting. The motion passed 4-1.

With no more business before the council, the meeting was adjourned at 9:14 pm.

Rhonda Stell, Mayor

ATTEST:

Whitney Walston, City Secretary