

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

The City of Johnson City City Council met for a Regular Meeting on Tuesday, November 7, 2023 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: Stephanie Fisher, Mayor
Shelton Coleman, Mayor Pro Temp
Kari Thomas
Gayla Guthrie
Patricia Dildine
Teresa Babb

Staff Present: Rick Schroder, CAO
Whitney Walston, City Secretary
Brent Sultemeier, Public Works Director
Ross Allen, Police Chief
Lee Simmons, City Attorney

1. Call to order.

Mayor Fisher called the meeting to order at 6:00. The invocation as led by the Blanco Co. American Legion Chaplain.

OPEN SESSION:

2. Public Comments.

Sherry Jenkins made a general announcement about the Blanco Co. Veterans Memorial.

REPORTS:

3. Proclamations, Presentations, and/or Reports.

- a) **Proclamations – Mayor Stephanie Fisher.**
Mayor Fisher Presented Proclamations for both Veterans Day 2023 and Municipal Courts Week in the City of Johnson City, Texas.
Provide progress update to City Council on work orders issued since the prior City Council meeting.
- 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 the racial profiling report 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) **Building Permit Report.**
The report was provided in the council packet.
- h) **Work Order Report.**
The report was provided in the council packet.
- i) **Report – Johnson City Chamber of Commerce and Visitor’s Center.**
There were 260 visitors at the center this month.
- j) **Report – Blanco County Cat Coalition, Inc.**
The report was provided in the council packet.
- k) **Report – Deep Roots Small Business Services.**
A brief overview of work performed was given to council.
- l) **Report and Recommendation – S.D. Kallman, L.P.**
A written report was provided to Council.

CONSENT AGENDA (ITEM NOS. 4 - 8):

- 4. **Approval of the minutes of the Regular Meetings of the Johnson City City Council dated October 3, 2023 and October 17, 2023. (Staff)**
- 5. **Approval of the Fiscal Year Ending (FYE) 2023 Revenue and Expense, Check Register, and Balance Sheet Reports dated September 30, 2023 and the FYE 2024 Revenue and Expense, Check Register, and Balance Sheet Reports dated October 31, 2023. (Staff)**
- 6. **Approval of the cancellation of the November 21, 2023 and December 19, 2023 Regular Meetings of the Johnson City City Council. (City Council)**
- 7. **Approval of a Resolution of the City Council of the City of Johnson City, Texas casting its allocation of One Hundred Twenty-Three and One-Half (123.5) votes for the election of members to the Blanco County Appraisal District Board of Directors for Councilmember Shelton Coleman. (BCAD)**
- 8. **Approval of a request by Mr. Andrew Creel, P.E., on behalf of Hill Country Wireless & Technology, for a variance to Municipal Code of Ordinances Chapter 10 *Subdivision Regulation*, Appendix B *Design Standards and Specifications Manual*, Section 1.6 *Utilities to be Underground* requiring that all utilities within a residential development be placed underground and related to the placement of one (1) new**

communication pole along and within N. Avenue N right-of-way for the purposes of installing new fiber optic cable. (Applicant)

Councilmember Dildine made the motion to approve the consent agenda. Councilmember Coleman seconded the motion. All were in favor and the consent agenda was approved.

ITEMS FOR INDIVIDUAL CONSIDERATION:

9. **Discussion of and action on a request for a variance by Mr. David Conlon from Municipal Code of Ordinances Chapter 13 *Utilities*, Article 13.02 *Water and Sewers*, Section 13.02.014 *Mandatory Connection to City Water and Wastewater Systems* for the construction / installation of a residential structure to house Tech Con Trenching, Inc. employees on property located at 512 N. U.S. Hwy. 281, Johnson City, Texas 78636, property more particularly described as BCAD Property ID No. 9059. (Applicant)**

Councilmember Dildine made the motion to approve the requested variance. Councilmember Babb seconded the motion. All were in favor and the variance was approved.

10. **Pursuant to Municipal Code of Ordinances Chapter 5 *Fire Prevention and Protection*, Article 5.04 *Fireworks*, discussion of and action on a Fireworks Permit Application for the Johnson City Independent School District's Veterans Day Ceremony and Celebration to be held on November 9, 2023. (Applicant)**

Councilmember Coleman motioned to approve the application pending approval from JCISD. Councilmember Babb seconded the motion. All were in favor and the application was approved.

11. **Discussion of and action on the selection of a Project Manager for the 2023-2024 Street Improvement Projects and authorizing the Chief Administrative Officer, in coordination with the City Attorney, to negotiate and execute, on behalf of the City Council of the City of Johnson City, Texas, a master services and/or professional services agreement and associated schedule of fees between the City of Johnson City, Texas and the selected Project Manager. (Staff)**

Councilmember Babb made the motion to select Atlas Technical Consultants LLC as the Project Manager for the 2023-2024 Street Improvement Projects. Councilmember Guthrie seconded the motion. All were in favor and the motion passed.

12. **Discussion of and action on procuring the services of a Registered Professional Land Surveyor to survey the Blanco County Courthouse Square, including, but not limited to, those portions of the following rights-of-way to determine ownership, property lines and corners, maintenance responsibilities, and proper enforcement of traffic / parking regulations:**

- **N. Nugent Ave.;**

- **E. Pecan Dr.;**
- **N. Ave. G; and**
- **E. Cypress St. (Councilmember Coleman)**

Councilmember Babb motioned for staff to move forward with surveying the Blanco County Courthouse Square, including, but not limited to, those portions of the following rights-of-way to determine ownership, property lines and corners, maintenance responsibilities, and proper enforcement of traffic / parking regulations. Councilmember Thomas seconded the motion. All were in favor and the item was approved.

13. **Discussion of and action on awarding a contract for the Wastewater Line Rehabilitation Improvements Project Number 167-TX8005 (Tx1747), funded through the State and Local Fiscal Recovery Funds (SLFRF) 2021 allocation, to SKE Construction, LLC. (GDS/Kallman)**

Councilmember Coleman made the motion to award the contract for the Wastewater Line Rehabilitation Improvements Project Number 167-TX8005 (Tx1747), funded through the State and Local Fiscal Recovery Funds (SLFRF) 2021 allocation, to SKE Construction, LLC. Councilmember Babb seconded the motion. All were in favor and the motion was approved.

Adjourn into Closed Session

Council adjourned into closed session at 7:08 p.m.

CLOSED SESSION:

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

§551.071 *Consultation with Attorney* to receive legal advice and deliberate a Development Agreement between the City of Johnson City, Texas and TX-290-1031, LLC for 50.48 acres of land located in the extraterritorial jurisdiction of the City on the South side of U.S. Hwy. 290 W. and 0.70 miles West of N. Nugent Ave., including, but not limited to, Section 1 *Development Agreement*, Subsection 1.4 Project and Development Plan, Paragraph 1.4.1.2 (a) requiring that a 12-inch diameter water main be constructed offsite within Texas Department of Transportation (TxDOT) right-of-way and not located in a private easement(s) dedicated to the City. (Mayor Fisher)

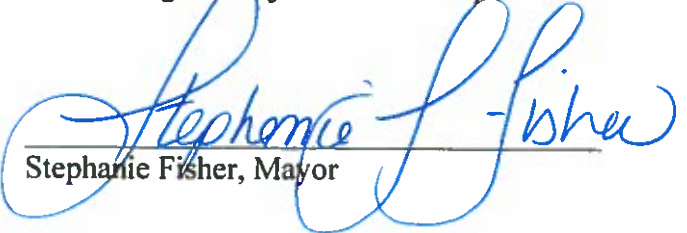
Adjourn into Open Session

Council adjourned into open session at 7:28 p.m.

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

Councilmember Babb motioned to amend the agreement to include a 25 foot easement with dedication to the City, related attorney fees, and that the City will record the amended development agreement.

With no further business before the Council, the meeting was adjourned at 7:29 p.m.


Stephanie Fisher, Mayor

ATTEST:


Whitney Walston, City Secretary