

Larry Hefner, Councilmember
Alan Woodall, Councilmember
Eric Priddy, Councilmember



Lisa Cate, Councilmember
Jamey Lamm, Councilmember

Greg Scott, Mayor

MINUTES

State of Texas
County of Denton
City of Justin

Justin City Council Regular Session Meeting-- November 14, 2016

The Justin City Council Meeting convened into a Regular Session being open to the public the 14th day of November 2016 at 7:05 p.m. in the Council Chambers of Justin Municipal Complex, and notice of said meeting giving the time, place, date and subject thereof having been posted as prescribed by Article 5 of the Texas Government Code, with the following members present and in attendance to wit:

Mayor Greg Scott, Mayor Pro-Tem Lisa Cate Council Members: Jamey Lamm, Alan Woodall and Eric Priddy. City Staff, Interim City Secretary Brittany Andrews, Police Chief Bill Brooks, Interim City Manager Cori Reaume, EDC Director Shani Ihnfeldt.

I. CALL TO ORDER

Invocation and Pledge of Allegiance by Council Member Jamie Lamm.

II. PUBLIC INPUT FOR ITEMS NOT LISTED ON THE AGENDA

In order to expedite the flow of business and to provide all the citizens the opportunity to speak, the Mayor may impose a three-minute limitation on any person addressing the Council. *

Ranger Minnie spoke of the concern for the overflow in the schools with the new additions to Justin, and addressed 3 main historical issues of Justin. Kenneth Harbon, HOA treasure for Reatta Ridge, had concerns regarding two ponds around Reatta Ridge having overgrown grass and the safety of the kids that play near them, asking if they were City or on someone's personal property. Lynn Crites asked that the weeds on Creekhill Dr have been taken care of.

III. OPEN PUBLIC HEARINGS

1. Public hearing to receive comments FOR or AGAINST Rezoning for Timberbrook Development:
 1. Open Public Hearing 7:17pm
 2. Close Public Hearing 7:26pm

Lynn Crites stated he was upset that the development agreement for Timberbrook was signed and approved before any residents were notified, and that he does not feel that the notice policy meets the standards for the City Of Justin. Carla Gastineau read a letter expressing her concerns with the Timberbrook development. Dave Pope questioned the verbiage of the zoning request recommendations from the Planning and zoning commission, (Cori read the P&Z board recommendations). Jeff Gastineau thanked the Planning and Zoning board for all their attentiveness and response to all of their concerns. Mayor asked if there were any further comments or questions regarding the Timberbrook zoning, there were no replies. Mayor closed the public hearing.

IV. ACTION ITEMS

2. Discuss, consider, and act on Rezoning for Timberbrook Development.

Applicant / Property Owner: Douglas Properties, Inc., Bloomfield Homes, L. P.
Present Zoning: SF-LL

Requested Zoning: Planned Development, Single Family Residential,
Commercial/Retail, Municipal, Parkland, Open Space

Location: 571.72 Acres, N. S. Hazleton Survey, Abstract Number 547, M.E.P. & P.R.R. Co Survey, Abstract Number 1477, E. Young Survey Abstract Number 1452, W. W. Young Survey, Abstract Number 1444, H. McDonald Survey, Abstract Number 879, M. Garnett Survey Abstract Number 439, W. M. Reed Survey, Abstract Number 1071, and R. W. Terrell Survey Abstract Number 1650, Denton County, Texas.

Proximity: North side of FM 407, south of Oliver Creek, west of FM 156 and east of Boss Range Road with Ridgeview Estates subdivision to the south side of the central portion of the development.

John Williams asked what commercial property they would be putting in. Brian French asked Barry; when agricultural land is annexed in by the city what classification does it come under? SF-LL? And what constitutes the large lot, 1 acre? Barry replied yes and stated the 3 different lot sizes. Shannon Parker asked why the property has to be annexed/rezoned now if there are not enough rooftops and no plan for the retail? Mayor, Councilmember Lisa Cate, Eric Priddy, and Jamey Lamm all explained different things going on in regards to the 407 expansions and new retail. Connie Crytes questioned the old thorough plan for 407 E. Beate Dufresne asked why it has taken so long to get the comprehension plan approved, and asked that we move forward on implementing the plan.

Councilmember Jamey Lamm made a motion to approve the rezoning for Timberbrook Development.

Seconded by Councilmember Alan Woodall
Aye votes: Councilmembers Lamm, Hefner, Cate, Woodall
Nay votes: Councilmember Priddy
Motion Carries

Mayor adjourned for a brief break to speak with City Attorney at 8:05pm

Reconvened at 8:12pm

Councilmember Eric Priddy made a motion to reopen the zoning

Councilmember Eric Priddy made a motion to approve the rezoning for the Timberbrook development.

Seconded by Councilmember Jamey Lamm

Aye votes: Councilmembers Lamm, Priddy, Cate, Woodall

Motion carries

3. Discuss, consider, and act on a Preliminary Plat for Phase I of Timberbrook Development.

Applicant / Property Owner: Douglas Properties, Inc., Bloomfield Homes, L.P.

Located on 218.8 Acres, N. S. Hazleton Survey, Abstract Number 547, M.E.P. & P.R.R. Co Survey, Abstract Number 1477, E. Young Survey Abstract Number 1452, W. W. Young Survey, Abstract Number 1444, H. McDonald Survey, Abstract Number 879, and R. W. Terell Survey, Abstract Number 1650, Denton County, Texas.

Proximity: West side of FM 156, south of Oliver Creek with Ridgeview Estates subdivision to the south side.

Gary Fisher, and Chris Cha of Pacheco Koch reviewed their Plat review with what revisions and changes were needed prior to Final Plat acceptance.

Councilmember Jamey Lamm made a motion to approve and accept the variances for numbers 20 and 22 of the Pacheco Koch report that has been outlined in the preliminary plat for numbers 20 & 22.

Seconded by Councilmember Alan Woodall

Aye votes: Councilmembers Lamm, Priddy, Cate, Woodall

Councilmember Lisa Cate made a motion to accept the Preliminary Plat with the engineering's concerns being adequately addressed and the east and west ends of Hillside dr. be connected to the Timberbrook development via walking trail access with locked gates preventing through traffic, only city staff and emergency responders being able to open the gates.

Seconded by Councilmember Eric Priddy

Aye votes: Councilmembers Lamm, Priddy, Cate, Woodall

Motion carries

4. Discuss, consider, and act on audit options pertaining to an internal investigation.

Cori and Carolyn gave their recommendations on moving forward.

Councilmember Alan Woodall moved to approve that we contract with Nelson Forensic LLC, to provide a complete forensic audit not to exceed the amount of \$20,000 and to ratify the \$10,000 that the Interim City Manager, Cori Reaume has already approved.

Seconded by Councilmember Eric Priddy
Aye votes: Councilmembers Lamm, Priddy, Cate, Woodall
Motion Carries

Lisa Cate spoke that in no way are we accusing anyone, that we had some procedural problems that needed to be addressed. Mayor Scott mentioned that the city is going to be implementing Incode.

5. Discuss, consider, and act on the removal of Todd Kerr from Economic Development Corporation Board.

Todd Kerr spoke of the allegations brought to council and EDC board. Todd resigned.

No Action Taken

6. Discuss, consider, and act on Interlocal Cooperation Agreement between the City of Justin and Denton County for Justin Community Library funding.

Councilmember Lisa Cate made a motion to approve the Interlocal Cooperation Agreement between the City of Justin and Denton County for Justin Community Library funding.

Seconded by Councilmember Eric Priddy
Aye votes: Councilmembers Lamm, Priddy, Cate, Woodall
Motion Carries

7. Discuss, consider, and act on amending the City of Justin's personnel manual to allow for pay at a rate of 1.5 times the normal rate of pay for all hours worked by non-exempt employees on holidays observed by the City, with exception of law enforcement personnel.

Councilmember Eric Priddy made a motion to accept

Seconded by Councilmember Jamey Lamm
Aye votes: Councilmembers Lamm, Priddy, Cate, Woodall
Motion Carries

8. Discuss, consider, and act on casting a vote for the Denton County Transportation Authority Board of Directors ballot.

Councilmember Jamey Lamm made a motion to cast the vote for Mrs. Connie White.

Seconded by Councilmember Alan Woodall
Aye votes: Councilmembers Lamm, Priddy, Cate, Woodall
Motion Carries

9. Discuss, consider and act on amending the fee schedule appendix A of the Code of Ordinances, developer reimbursement of consulting fees related to the Engineering review fees.

Councilmember Alan Woodall made a motion to amend the fee schedule appendix A of the Code of Ordinances, developer reimbursement of consulting fees related to the engineering review fees.

Seconded by Councilmember Jamey Lamm
Aye votes: Councilmembers Lamm, Priddy, Cate, Woodall
Motion Carries

V. CONSENT ITEMS.

10. Consider and act on the approval of City Council Minutes for November 14, 2016

Councilmember Eric Priddy made a motion for the approval of the, November 14, 2016 City Council Minutes.

Seconded by Councilmember Jamey Lamm
Aye votes: Councilmembers Lamm, Priddy, Cate, Woodall
Motion Carries

VI. EXECUTIVE SESSION

As authorized by Section 551.074 of the Texas Government Code, this meeting may be convened into closed executive session for the purpose of item(s) listed herein:

Closed Session at 9:39

- to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee;

Interim City Manager, Cori Reaume

- to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee;

Interim City Secretary, Brittany Andrews

As authorized by Section 551.071 of the Texas Government Code, the City Council may adjourn into closed executive session to seek confidential legal advice from the City Attorney.

- Discuss litigation between the Town of Northlake vs City of Justin with the City Attorney

As authorized by Section 551.072 of the Texas Government Code, the City Council may adjourn into closed executive session to deliberate the purchase, exchange, lease, or value of real property.

- Discuss strategy regarding extraterritorial jurisdiction

Open Session at 11:22pm

11. Discuss consider and act on item(s) discussed in executive session.

- to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee;

Interim City Manager, Cori Reaume

Jamey Lamm and Eric Priddy abstained from their vote

Councilmember Alan Woodall made a motion to approve the requested salary per Interim City Manager, Cori Reaumes' request retroactive to October 1, 2016.

Seconded by Mayor Pro-tem Lisa Cate

Aye votes: Councilmembers Woodall, Cate and Mayor Scott

Motion Carries

VII. ADJOURN

Councilmember Lisa Cate made a motion to adjourn

Seconded by Councilmember Jamey Lamm

Aye votes: Councilmembers Lamm, Priddy, Cate, Woodall

Motion Carries

Mayor Scott adjourned the meeting at 11:37pm

Brittany Andrews
Brittany Andrews
Interim City Secretary

Seal:

