



MINUTES

**State of Texas
County of Denton
City of Justin**

Justin City Council Regular Session Meeting- May 24, 2021

CONVENE INTO SESSION: at 5:00PM

PRESENTATION/ STAFF UPDATES

- Police Chief, Alex Coss
- Monthly Financials

WORKSHOP SESSION

1. Discussion and conduct a Public Hearing for a Special Use Permit (SUP 21-01) to allow a Farmer's Market in the Light Industrial Zoning District. Location: southeasterly corner of FM 407 and FM 156. Applicant: Texoma Farms.

Darrell Gentry provided an overview of the Special Use Permit and Farmer's Market, explaining the conditions of approval. Councilmembers discussed their concerns and asked the applicant questions regarding the allowed vendors and materials that would be sold.

2. Discussion and conduct a Public Hearing consider adopting an amendment of City Off-Street Parking Ordinance, Chapter 52, Section 52-233 to 52-269.

Darrell Gentry presented and discussed the City Off Street Parking Ordinance reviewing the proposed amendments. Council discussed sections that they felt needed to have more detail, and be written to better specify standards, with expanding on some of the areas that did not provide much information in the draft provided. Council asked staff to go back through the Ordinance and make sure all necessary amendments are completed prior to bringing forth for approval.

3. Discussion and conduct a Public Hearing to consider adopting regulations for Mobile Food Truck Operations in the City.

Darrell Gentry provided a general overview of the original purpose of the Mobile Food Truck regulations and previous Council's desire to incorporate the proposed amendments. Councilman Mounce discussed that simplifying the regulations to be simple and not burdensome on the business owner was thought to be the intent. Council Members would like to see it be simplified and have better clarification on area specific

locations such as “Old Town” and “Town Center.” Questions regarding the permits and requirements were discussed.

4. Discussion regarding continuation of a Public Hearing to consider an amendment to the City’s Sign Ordinance, Chapter 36.

Darrell Gentry provided an overview of the item. Council asked about areas that were incomplete, and addressed current signage locations and whether those would be non-conforming once this is passed, and that they would like this to be brought back to work through.

5. Discussion regarding continuation of a Public Hearing to consider a Reatta Ridge, Phases 3 & 5, Zone Change (ZC 21-01) of 50 acres from SF 1A to SF 2-PD and a Preliminary Plat (PPLT 21-01) to create up to 216 single family residential lots and 5 open space lots for parks, trails and amenities.

Darrell Gentry discussed the item, and addressed some public discussion regarding the lot sizes and standards. Council asked the developer about the lot sizes, and bridge that will be constructed to allow access to community park and offer future trail connectivity.

6. Discussion regarding a Final Plat for Timberbrook Phases 3B and 4A.

Darrell Gentry provided an overview of the item; the preliminary plat was previously approved. Mr. Gentry spoke that some details will need to be addressed but that it could be done during the construction phases.

7. Discussion regarding approval of Resolution 556-21 Calling the Public Hearing for Improvement Area #2-A of the Justin Timberbrook PID.

Kyle Sikorski with P3works provided Council with a general overview and information related to the item.

8. Discussion regarding Resolution 557-21 appointing a representative to the Upper Trinity Board of Directors.

Chuck Ewings discussed that Greg Scott was appointed to fill a vacancy. Now that the term is up, he is willing and would like to continue to serve as the Justin representative on the Upper Trinity Board of Directors.

9. Discussion regarding audio, video, and live stream upgrades for City meetings.

Abbey Reece presented to Council the 2 companies she received comparable proposals from, however, there were not many that compared “apples to apples” with Swagit. Council discussed what they would prefer in upgrades and for moving forward. Council recommended that staff work with Councilman Mendoza to explore options other than Swagit.

10. Discussion regarding Stop Sign and Yield Sign intersections in the City.

Alex Coss presented a report that included number of accidents, issued tickets and traffic stops that occurred over the last 3 years. Council discussed that the current Ordinance does not include the new subdivision sign locations.

11. Discussion regarding City Council Meeting dates and times.

Council discussed moving the meeting dates to the second and fourth Tuesday of each month at 6:00PM with packets to go out on the Wednesday of the week prior to Council meeting.

12. Discussion regarding Resolution 558-21 denying Oncor Electric Delivery Company's request to amend its Distribution Cost Recovery Factor.

Chuck Ewings and Council discussed the Resolution and reason for the denial.

Mayor Woodall and Council took a break at 7:38PM and reconvened at 7:45PM.

CONVENE INTO REGULAR SESSION- Immediately Following Workshop Session

CALL TO ORDER

Convene into Session: at 7:45PM
Invocation by Chaplain, Aaron Callen.
Pledge of Allegiance
American Flag

Texas Flag: *“Honor the Texas Flag; I pledge allegiance to thee, Texas, one state, under God, one and indivisible”*

PUBLIC COMMENT

In order to expedite the flow of business and to provide all citizens the opportunity to speak, the Mayor may impose a three-minute limitation on any person addressing the Council. The Texas Open Meetings Act prohibits the City Council from discussing issues, which the public have not been given a seventy-two (72) hour notice. Issues raised may be referred to City staff for research and/or placed on a future agenda.

Stacy Monger at 3rd and Sealy – After the changes with the drainage her house is flooding. Asking Council for help because she is having trouble with flooding.

PUBLIC HEARING

13. **PUBLIC HEARING (7:00 P.M.):** Conduct a Public Hearing to consider a Special Use Permit (SUP 21—01) to allow a Farmer's Market in the Light Industrial Zoning District. Location: southeasterly corner of FM 407 and FM 156. **Applicant:** Texoma Farms.

a. Open public hearing at 7:50PM

- b. Close public hearing at 7:50PM
- c. Consider and take appropriate action

Mayor Pro Tem, Clark made the motion to approve the SUP with the following stipulations; the SUP be tied to the Farmers Market DEA, hours of operation be included on application, signage that conforms with the sign ordinance be placed at the Market, and to grant a variance on parking by stipulating that unimproved parking on site be used and updated.

Seconded by: Councilwoman Hartle

Aye votes: Councilmembers Hartle, Clark, Mounce, Tate, and Mendoza

Motion carries

14. **PUBLIC HEARING (7:00 P.M.):** Conduct a Public Hearing to consider adopting an amendment to City Off-Street Parking Ordinance, Chapter 52, Section 52-233 to 52-269.
- a. Open public hearing
 - b. Close public hearing
 - c. Consider and take appropriate action

Item Tabled

15. **PUBLIC HEARING (7:00 P.M.):** Conduct a Public Hearing to consider adopting regulations for Mobile Food Truck Operations and Land Use in the City.
- a. Open public hearing
 - b. Close public hearing
 - c. Consider and take appropriate action

Item Tabled

16. **PUBLIC HEARING (7:00 P.M.):** Continuation of a Public Hearing to consider an amendment to the City's Sign Ordinance, Chapter 36.
- a. Open public hearing
 - b. Close public hearing
 - c. Consider and take appropriate action

Councilman Mendoza moved to continue the Public Hearing to the next meeting on June 14, 2021 at 7:00PM.

Seconded by: Councilwoman Hartle

Aye votes: Councilmembers Hartle, Clark, Mounce, Tate, and Mendoza

Motion carries

17. **PUBLIC HEARING (7:00 P.M.):** Continuation of a Public Hearing to consider a Preliminary Plat (PPLT 21-01) to create up to 216 single family residential lots and 5

open space lots for parks, trails and amenities. Also consider a request to rezone approximately 50 acres from SF-1A to SF 2-PD.

- a. Open public hearing at 7:59PM
- b. Close public hearing at 7:59PM
- c. Consider and take appropriate action

Mayor Pro Tem, Clark moved to approve the Preliminary Plat (PPLT 21-01) to create up to 216 single family residential lots and 5 open space lots for parks, trails and amenities. Also to consider a request to rezone approximately 59 acres from SF-1A to SF 2-PD.

Seconded by: Councilwoman Hartle

Aye votes: Councilmembers Hartle, Clark, Mounce, and Tate.

Nay: Councilman Mendoza

Motion carries

POSSIBLE ACTION ITEMS

18. Consider and take appropriate action approving a Final Plat for Timberbrook Phases 3B and 4A.

Mayor Pro Tem, Clark made the motion to approve a final plat for Timberbrook Phases 3B and 4A.

Seconded by: Councilman Mounce

Aye votes: Councilmembers Hartle, Clark, Mounce, Tate, and Mendoza

Motion carries

19. Consider and take appropriate action to approve Resolution 556-21 Calling the Public Hearing for Improvement Area #2-A of the Justin Timberbrook PID.

Mayor Pro Tem, Clark moved to approve Resolution 556-21 and to call the Public Hearing for Improvement Area #2-A of the Justin Timberbrook PID to be held on June 28, 2021 at 5:00PM in the Justin Council Chambers located at 415 N. College Ave. Justin, TX 76247.

Seconded by: Councilman Mounce

Aye votes: Councilmembers Hartle, Clark, Mounce, Tate, and Mendoza

Motion carries

20. Consider and take appropriate action approving Resolution 557-21 appointing a representative to the Upper Trinity Board of Directors.

Councilman Mounce moved to approve Resolution 557-21 appointing Greg Scott to the Upper Trinity Board of Directors.

Seconded by: Mayor Pro Tem, Clark

Aye votes: Councilmembers Hartle, Clark, Mounce, Tate, and Mendoza

Motion carries

21. Consider and take appropriate action approving audio, video, and live stream upgrades for City meetings.

Mayor Pro Tem Clark made the motion to move forward and bring back a contract for review from Swagit Productions, LLC.

**Seconded by: Councilman Mounce
Aye votes: Councilmembers Clark, Mounce, and Tate
Nay votes: Councilmembers Hartle and Mendoza
Motion carries 3-2**

22. Consider and take appropriate action regarding Stop Sign and Yield Sign intersections in the City.

Item Tabled

23. Consider and take appropriate action approving City Council Meeting dates and times.

Councilman Mounce moved to change the City Council Meetings dates to the second and fourth Tuesday of each month at 6:00PM, with the packet sent out no later than the Wednesday prior to the meeting.

**Seconded by: Mayor Pro Tem, Clark
Aye votes: Councilmembers Hartle, Clark, Mounce, Tate, and Mendoza
Motion carries**

24. Consider and take appropriate action to approve Resolution 558-21 denying Oncor Electric Delivery Company's request to amend its Distribution Cost Recovery Factor.

Councilman Mounce moved to approve Resolution 558-21 as presented.

**Seconded by: Mayor Pro Tem, Clark
Aye votes: Councilmembers Hartle, Clark, Mounce, Tate, and Mendoza
Motion carries**

CONSENT

Any Council Member may request an item on the Consent Agenda to be taken up for individual consideration

25. Consider and take appropriate action to approve an Interlocal Agreement with Denton County for shared Governance Communications and Dispatch Services System.

26. Consider and take appropriate action to approve City Council minutes dated April 26, 2021 May 10, 2021 canvass minutes, May 10, 2021 regular meeting minutes, and May 12, 2021.

Councilwoman Hartle moved to approve consent items 25 and 26 as presented, and amended her motion to state approved with the absence of the May 12, 2021 City Council minutes.

Seconded by: Councilman Mounce

Aye votes: Councilmembers Hartle, Clark, Mounce, Tate, and Mendoza

Motion carries

EXECUTIVE SESSION

Any item on this posted agenda could be discussed in Executive Session as long as it is within one of the permitted categories under sections 551.071 through 551.076 and Section 551.087 of the Texas Government Code.

- Under Section 551.071, to conduct private consultation with the City Attorney regarding:
 - Extraterritorial Jurisdiction Development Issues (Development Agreement for the Preserve)

Convene into executive session at **8:09PM**

Adjourn into open meeting at **9:29PM**

27. Discuss, consider, and act on items discussed in Executive Session.

No action

Mayor Woodall moved to re-open Public Hearing item 13 at 9:30PM

Mayor Pro Tem, Clark then amended his motion to revise prior approval exclude any conditional ties to the DBA.

Seconded by: Councilwoman Hartle

Aye votes: Councilmembers Hartle, Clark, Mounce, Tate, and Mendoza

Motion carries

FUTURE AGENDA ITEMS

- Performance Bonds for incoming businesses
- Limiting heavy truck traffic in old town
- Development Agreement for the Preserve

- NISD to discuss using facilities for emergency management plan

ADJOURN

With there being no further business the meeting was adjourned at 9:37PM

Brittany Andrews

Brittany Andrews, City Secretary

Seal: