

MINUTES

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

Justin City Council Special Session Meeting-- September 15, 2014.

The Justin City Council Meeting convened into a Special Session being open to the public the 15TH day of September at 6:31 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 David Speicher, Council Members Conrad Jimison, Lisa Cate, Stephen Newby, and Stephen Chambers. City Staff, City Secretary Kim Strange, City Manager Ashley Stathatos, Police Chief Bill Brooks, City Attorney Rob Dillard, City Planner Barry Hudson, Planning & Zoning Member Vickey Reynolds, Guests: Stacy Kaplowitz with Herman & Kittle, Mike Roderer with Herman & Kittle, Terrance Smith, Kathy Benson, Jim Tate, Jean Ann Chambers, Brian French, Beverly Windsor, Sonya Coulston, David A. Wilson, Tomas Mendoza, Christa Spearman, Stephanie Giger, Tamara Sagert, Stacy Hamby and Beverly Windsor.

I. CALL CITY COUNCIL TO ORDER

The Invocation and Pledge of Allegiance was given by Council Member Stephen Newby.

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.

*Citizen comments are limited to three (3) minutes per speaker.

1) – no comments

I. ACTION ITEMS

1. Consider and Act on Ordinance No. 575-14 Adopting a Budget for the Fiscal Year Beginning October 1, 2014, and Ending September 30, 2015.

Council member Stephen Newby made a motion to approve Ordinance 575-14. Council Member Lisa Cate seconded the motion. All in favor. Motion passed.

2. Consider and Act to Ratify the Ad Valorem Tax Rate Increase Reflected in the 2014-2015 Fiscal Year Budget which is effectively a 2.03889 percent increase.

Motion made by Stephen Newby to ratify the Ad Valorem Tax Rate Increase reflected in the 2014-2015 Fiscal Year Budget. The motion was seconded by Council Member Conrad Jimison. All in favor. Motion carries.

3. Consider and Act on Ordinance No. 576-14, levying the Ad Valorem Taxes for the Fiscal year 2014-2015 on all Taxable Property within the Corporate Limits of the City of Justin as of January 1, 2014, to Provide Revenues for the Payment of Current Expenditures.

Motion by council member Stephen Newby to approve Ordinance 576-14, levying the Ad Valorem Taxes for the Fiscal Year 2014-2015. The motion was seconded by Council Member Dave Speicher. All in favor. Motion carries.

4. A. Public Hearing to Receive Comments For or Against Rezoning & Site Plan of Bishop Gardens Apartments:

@ 6:40 pm open public hearing

Beverly Windsor - put all these new people in town, how do they work if they can't get anywhere. No transportation, no work in this town.

Mayor Scott- why do you think they won't have a car, they are just like you and me. Beverly - people who don't have the money won't have a vehicle.

Mayor Scott - people will pay only 30% of their median income to housing.

Chief Bill Brooks- Denton Span bus will pick up anyone who notifies a day ahead. Anyone can make an appointment.

Terrance Smith Resident - 346 Cedar Crest - 700,000 said was coming from developer, discussed, is it in the budget, yes. Proposed plan and restrictions are applied to this apartment building? Will they have brick facing the greenbelt? Two trash bins faced on the greenbelt side? Wants to make sure the site plan is amended.

Mayor Scott - this is a conceptual site plan, this will go back to P & Z, requests Mr. Smith to attend that meeting.

Mayor Pro-Tem David Speicher - will negotiate with apts for all these details.

City Manager Ashley Stathatos -Putting together a committee that will include Hardeman residents, especially those that's houses back up to the apartments.

Stacy Hamby- looked up ratings, looked up around the country. This one property she looked at concerned her, trashy, kids run free, drug deals daily, this property is in Indiana. Made a point to ask Council if they have looked at their other complexes. Doesn't think Justin has done their due diligence. Thinks there are apartments in nearby areas that "aren't that faraway". She is in education - we are a title 1 school in Justin, will affect star scores, additional expense for kids that need extra help.

Tamera Sagert - lives on Denton, working mom has a 3 year old. From Fort Worth, social worker for 10 years. Been to the apartment complex in Fort Worth.

Will lower their standards and management will let felons live there. Units don't hold up like houses do. Came from Wedgewood in Fort Worth, once their apartments reached the 30 year mark, the neighborhood is ridden with crime. Against the apartments, wants to keep the apartments in Northlake. Haslet doesn't have apartments. People move to country for spacious.

Stephanie Geiger – challenged to find data, Stephen chambers forwarded her data, and a lot of the data is large metropolitan areas.

Tomas Mendoza – information technologies for 15 years, physics teacher taught about information and twisting it, moved here and quit their jobs with no jobs. Decided to settle in Justin. I found the place where he wants to live. Found the environment where he wants to live, wife is classroom mom. Commute is hour or hour and a half that is the price that doesn't bother him. Doesn't want apartments in his neighborhood. If you own a car you take care of it, these people won't own these apartments so they won't take care of it. Will move if this doesn't go his way, this isn't a threat.

Stacy Hamby – will the person that worked in social work please elaborate, Tamera – moms are never home, stress and anxiety in the kids. Affects everything, cannot perform in school when their home life is bad. The scores at the school are affecting her real estate.

Stephen Chambers – don't think this school district in Justin affects your real estates.

Mayor Scott – lived in apartments during college and after college, it didn't make him break into cars.

Terrance Smith – do we have a time line?

Mike Roderer – if zoning is passed will go to planning & zoning, will take several months. Maybe sometime in the 2nd quarter of next year.

Stephen Chambers- Where did you get those things you were reading?

Stacy Hamby - internet.

Stacy Kaplowitz- There are a lot of good reviews as well, some properties are recently purchased. Feels like there is veiled fear and wants to be available for any questions. Everyone that rents isn't a criminal, they have cars, and jobs, she was a lifelong rental, and she is really upset that people are assuming these people will be transient.

Tomas Mendoza – was an apartment renter himself and didn't like it.

Jean Ann Chambers – lives in Justin. If you go 10 or 15 miles in every direction you have people in every walk of life. If people are unhappy about something, vote, go talk to teachers, run for office. People are not involved, people are sitting at home and being unhappy.

Kathy Benson - Kids go to the park at Bishop and party.

Lisa Cate – There are kids going to the park and partying right now and they live in houses. My point is there are good and bad people in apartments there are good and bad people in houses.

Resident - It doesn't make us bad people to not want apartments in our neighborhood. We are being looked down upon because we don't want apartments. Apartments have a more negative impact on a community. She is being forced to move and feels like she doesn't have a choice.

Stacy Hamby – Agrees that they are being judged.

David Speicher – do you realize when the trail system is put in place all of Justin could be looking in your backyard.

Stacy Hamby – Made promises that still aren't finished. The light was going to be put up and still haven't been done, an order has been put in, and playground needs to be processed.

City Manager Ashley Stathatos - Working on a legal description, title report, given to Attorney Rob Dillard. Current Crime rate.

Chief Bill Brooks will post crime rate tomorrow. Justin Police Department Facebook page tomorrow.

Mayor Scott – government works slowly and diligently. Not how the rest of the world works.

Michael Perrin - Lives on Cedar Crest - Teacher in the district – Justin Elementary is not trending up. Not a sought after school. Data to support this if you would like. Title 1 (more free lunches, etc..) Fear of what could be there instead of apartments, is torn a little, the majority of them feel the decision had been made. Feels Stephen Chambers' offended people, by saying that old town won't get new pipes (September 2nd Town Hall Meeting) and it would be Hardeman estates fault. Resident- it's not the plan it's the statement.

Attorney Rob Dillard – this is out of order, this is not on the agenda.

Stephen Chambers – trying to improve the water and the water pressure in town by having Herman & Kittle help pay for the lift station which would give us the opportunity to use the bond money to fix pipes in old town.

Lisa Cate explained the process of Herman & Kittle coming to approach the City and the proposal for the 700,000 for a lift station.

Close public hearing at 7:46 pm

B. Discuss, Consider and Act on Rezoning & Site Plan of Bishop Gardens Apartments:

Property Owner: Hardeman Family Real Estate Partners I Ltd.

Applicant: Bishop Gardens, LP c/o Herman & Kittle Properties, Inc.

Zoning Change from GB, General Business to PD, Planned Development to Allow for Multi-family Uses.

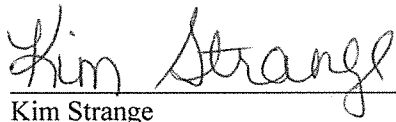
*Located on 7.855 Acres, F.B. Borden Survey, Abstract #207.
At the Corner of FM 156 and Hardeman Boulevard Right Next to Bishop Park.*

Council member Stephen Newby currently zoned GB, a 7-11 could come in tomorrow and we couldn't deny.

Council Member David Speicher, made a motion to approve ordinance 577-14 with all recommendation from P & Z, change condition I detail plan be submitted to P & Z and then Council. Seconded by Council Member Lisa Cate. All in favor. Motion carries

IV. ADJOURN

Council Member Lisa Cate made a motion to adjourn City Council Special Session. The motion was seconded by Council Member Stephen Newby.



Kim Strange
City Secretary

