

MINUTES

State of Texas
County of Denton
City of Justin

Justin City Council Regular Session Meeting–November 10, 2014.

The Justin City Council Meeting convened into a Regular Session being open to the public the 10th day of November 2014 at 7:11 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 Lisa Cate (Lisa Cate left at 7:25 due to illness), Conrad Jimison, and Lisa Jayjohn. City Staff: City Attorney Rob Dillard, City Manager Ashley Stathatos, City Secretary Kim Strange, Justin Police Chief Bill Brooks, Court Administrator /Librarian Lesa Keith, Park Supervisor Danny Cox, Former Planning & Zoning President Jim Smith, Progressive Waste Solutions Jared St. John, Crannell and Crannell Engineering Jeff Crannell, Developer Bruce Keikkinen, Developer Mark Angeli, Planning and Zoning Commission Members Vickey Reynolds, and Brian French, Former Council Member Mr. and Mrs. Stephen Newby. Residents Garry Mayes, Jim Tate.

I. CALL CITY COUNCIL TO ORDER

The Invocation and Pledge of Allegiance was given by Mayor Pro-Tem David Speicher.

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.

Mr. Jim Tate – Addressed the City Council to inform that the EPA and the TCEQ doesn't like the way Fort Worth handles the hazardous waste. Fort Worth doesn't know what they are doing.

III. PRESENTATION

1. Recognize former City Council Member Stephen Newby for years of service. Recognized Stephen Newby for 12 years of service. Stephen was presented with a plaque.

Mayor Greg Scott recognized Stephen Newby former Council Member and former Planning & Zoning Chair Jim Smith for his years of service. Each was presented a plaque.

2. Proclamation for Library Donations.

A Proclamation was presented to UNT for donated computers, Home Depot for ceiling tiles, Adams furniture for furniture, and Danny Cox for building furniture.

IV. CONSENT

3. Approve minutes from the City Council Regular Session on August 25, 2014 and September 8, 2014 City Council Regular Session, September 15, 2014 Special Session, September 29, 2014 City Council Workshop and October 13, 2014 City Council Regular Session.
4. Approve the City of Justin Amended Personnel Policy.
5. Approve a rate increase for Progressive Waste Management.
6. Approve an Interlocal agreement for participation in Fort Worth's Environmental Collection Center Household Hazardous Waste Program.

Council approved consent items in one motion. Conrad Jimison – need to look at the Personnel Policy every year to keep this updated. Need to start in June or so before the budget season hits.

Mayor – Eliminated the job description, certification pay, etc.,

Mayor Pro Tem David Speicher made a motion to approve the consent items 3 through 6. Council Member Conrad Jimison seconded the motion. All in favor, Council Members Lisa Cate and Stephen Chambers absent.

V. ACTION ITEMS

7. Consider and act on a developer's agreement between the City of Justin and Impression Homes, LLC for Hardeman Estates, Phases IV, V and VI.

Ashley – read bullet points on the developer's agreement, summarized the rest of the Developer's Agreement.

Bruce – Would like to discuss the letter of credit from a bank that is stated in the Developer's Agreement.

Rob- agreement from the bank that states the bank will pay for any improvements that are not completed by Impression homes.

Bruce – worked to be completed within three years, per phase? Would like to add (paragraph 3F) per phase to the developer's agreement. Boss Range Rd improvements are cloudy, would like to get going on this project. Sent a report to council detailing the profit. Would like

something in an account just for boss range rd. and would like the money returned within 7 years if not used. August 1st to allow for Certificate of Occupancy.

Mayor pro tem David Speicher made a motion to approve the Developer's Agreement with Impression homes with the following amendments; Boss Range road be \$114,000 add August 1st for the certificate of occupancy, each phase will have a 3 year build out, fence along Hardeman phase v be allowed to meet the recommendation from planning and Zoning, Motion seconded by Conrad Jimison. All in favor, Lisa Cate and Stephen Chambers absent

8. Consider and act on approval of Ordinance 578-14 an ordinance for subdivision perimeter screening.

Barry – masonry screening wall surrounding the subdivision for schools, churches, are required by the ordinance.

Mayor pro tem – right now special approval would be needed because superior concrete is not considered masonry.

Motion made by Mayor Pro Tem David Speicher to approve ordinance 578-14 an ordinance for subdivision perimeter screening. The motion was seconded by Council Member Lisa Jayjohn. All in favor. Lisa Cate and Stephen Chambers absent.

9. A. Public hearing to receive comments for or against the rezoning & development site plan of Hardeman Phase IV:

Open public hearing for public comment at 7:45 pm
Close public hearing at 7:55 pm

- B. Consider and act on Ordinance 579-14 to rezone and approve a development site plan for Hardeman Phase IV:

*Property Owner: Mark Angeli, Barthold Estates, Inc.
Applicant: Jeff Crannell, Crannell, Crannell & Martin
Zoning Change Amendment to PD 287, Single Family Residential.
Located on 38.48 Acres, W. Perry Survey, Abstract #1034.
North of and adjacent to Justin Elementary School, South of FM 407
(Behind the Retail), East of Boss Range Road and West of Ovaletta Drive.*

Motion made by Mayor Pro Tem Dave Speicher to approve ordinance 579-14 to rezone and approve a development site plan for Hardeman phase IV. Motion seconded by Council Member Conrad Jimison. All in favor. Council Members Lisa Cate and Stephen Chambers absent.

10. A. Public hearing to receive comments for or against the rezoning & development site plan of Hardeman Phase V:

Open public hearing at 7:59 pm for comments.

Bruce – keeping 6000 square feet. Bigger back yard. Doing this in a contained area, and across from the new apartments. Some lots are 60 foot lots some are 50, not a difference in the look. This is the phase with the fence involved. This has been struck out of the developer’s agreement. Wood with a cap rail. Wrought iron at our cul-de-sac.

Mayor pro tem David Speicher– can you put a gate at the cul-de-sac
Bruce- yes we can, pedestrian opening not a gate but yes. Gate will require maintenance. Already told some of the neighbors on Allen drive to re fence that if they would like.

Jeff – Pointed out the number of 60 foot lots.

Mayor – common area between the drainage areas, is it grass?

Jeff – wide park way

Ashley – this common area will be the HOA.

Close the public hearing at 8:09 pm

- B. Consider and act on Ordinance 580-14 to rezone and approve a development site plan for Hardeman Phase V:

Property Owner: Mark Angeli, Barthold Estates, Inc.

Applicant: Jeff Crannell, Crannell, Crannell & Martin

Zoning Change Amendment to PD 403, Single Family Residential.

To Change the Minimum Lot Width from 60 Feet to 50 Feet but Maintain Same Lot Size at 6,000 Feet.

Located on 14 Acres, W. Perry Survey & F. Borden Survey, Abstract #1034 & Abstract #207.

North of Hardeman Boulevard, South of Allen Avenue, East of Windmill Drive and West (Behind the Retail) off FM 156.

Mayor pro tem David Speicher made a motion to approve 580-14 to rezone and approve a development site plan for Hardeman phase V. With a change to section 3 item I in lieu of the 6 foot masonry screening wall we will allow the Wood fence with a cap rail and also the pedestrian opening at the cul-de-sac with the wrought iron fence with a connection from side walk to the cul-de-sac along Hardeman Boulevard. Council Member Conrad seconded the motion. All in favor. Council Members Lisa Cate and Stephen Chambers were absent.

11. A. Public hearing to receive comments for or against the rezoning & development plan of Hardeman Phase VI:

Open public hearing on 8:10 pm

Close public hearing at 8:14 pm

- B. Consider and act on Ordinance 581-14 to rezone and approve a development site plan of Hardeman Phase VI.

Property Owner: Mark Angeli, Barthold Estates, Inc.

Applicant: Jeff Crannell, Crannell, Crannell & Martin

Zoning Change from PD 404 to PD 287, Single Family Residential.

To Change from a minimum lot area of 4,000 Square Feet to 6,000 Square Feet. Located on 17.19 Acres, W. Perry Survey, Abstract #1034. North of Justin Elementary School, South of FM 407 (Behind the Retail), East of Boss Range Road and West of Ovaletta Drive.

Mayor Pro-Tem Dave Speicher motioned to approve Ordinance 581-14. Council Member Lisa Jayjohn seconded the motion. Motion carries. All in favor. Council Members Lisa Cate and Stephen Chambers were absent.

12. Consider and act on the preliminary plat for Hardeman Phase IV:

*Property Owner: Mark Angeli, Barthold Estates, Inc.
Applicant: Jeff Crannell, Crannell, Crannell & Martin
Located on 40.73 Acres, W. Perry Survey, Abstract #1034.
Block 1, Lots 1-28, Block 2, Lots 1-41, Block 3, Lots 1-29, Block 4, Lots 1-45 & Lot X-1 (Open Space) North of Justin Elementary School, South of FM 407 (Behind the Retail), East of Boss Range Road and West of Ovaletta Drive.*

Motion made by mayor Pro-Tem Dave Speicher to approve Hardeman phase IV. The motion was seconded by Council Member Lisa Jayjohn. All in favor. Motion carries. Council Members Lisa Cate and Stephen Chambers were absent.

13. Consider and act on Planning & Zoning Commission Board Appointments.

This item was acted upon second in the meeting so that audience members could leave if they so choose.

Motion made by Council Member Conrad Jimison to approve the appointment of Alan Woodall, Terence Smith and Brian French to the Planning & Zoning Commission. Motion was seconded by Council Member Lisa Jayjohn. All in favor. Stephen Chambers absent.

14. Consider and act on the appointment of Lisa Jayjohn to the Justin City Council.

This item was acted upon at the first of the Council Meeting in order for Lisa Jayjohn to be appointed.

Mayor Pro Tem David Speicher made a motion to approve Lisa Jayjohn as the new City Council Member to replace Council Member Stephen Newby. Council Member Lisa Cate seconded the motion. All in favor. Stephen Chambers was absent.

I. EXECUTIVE SESSION

As authorized by Section 551.071 (2) of the Texas Government Code, the City Council may adjourn into closed executive session to seek confidential legal advice from the City Attorney.

No Executive Session was needed.

II. ADJOURN

Council Member Conrad Jimison made a motion to adjourn. Council Member Lisa Jayjohn seconded the motion.

Kim Strange

Kim Strange
City Secretary

