



Mayor, Elizabeth Woodall

MINUTES

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

Justin City Council Regular Session Meeting- June 14, 2022

The Justin City Council Meeting convened into a Regular Session being open to the public the 14th day of June, 2022 at 6:00 pm in the Council Chambers of Justin Municipal Complex, and notice of said meeting giving the time, place, date and subject there of having been posted as prescribed by Article 5 of the Texas Government Code, with the following members present and in attendance to wit: Mayor, Elizabeth Woodall, Mayor Pro Tem, John Mounce, Councilmembers, James Clark, Tomas Mendoza, Jim Tate, and Chrissa Hartle. City Staff: City Manager, Chuck Ewings, , Public Works Director, Josh Little, City Secretary, Brittany Andrews, and City Attorney, Matthew Butler.

Convene into Session: Mayor Woodall called the meeting to order at 6:00PM
Invocation led by: Councilman Mendoza

BUSINESS INTRODUCTION

❖ **Country Abbey**

WORKSHOP SESSION

1. Discuss proposed agreement with the Trinity River Authority for provision of wastewater treatment service to the City of Justin.
2. Discuss Justin Town Square regulating framework.
3. Discuss regular session agenda items.

CONVENE INTO REGULAR SESSION- Immediately Following Workshop Session

Mayor Woodall called the regular meeting to order at 7:07PM

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.

No Citizen Comment

PUBLIC HEARING ITEMS

4. **PUBLIC HEARING:** Conduct a public hearing to consider a Specific Use Permit for a Temporary Batch Plant legally described as A0419A W.A. FERRIS, TR1, 27.25 ACRES, OLD DCAD TR 4 (Property ID 68212) and A0285A WM CABLE, TR 1(PT), 80.5650 ACRES (Property ID 68118) located south of FM 407.

- a. Open public hearing at **7:17PM**

Greg Scott, 136 Daisy Ln. Justin, TX 76247 - Realizing a batch plant is necessary, not opposing but cleanup and land restoration to the city's specifications is important. Too many times the plants are "semi" cleaned up and land "semi"restored. There needs to be oversight, so the city is not left with a mess to clean up. It should be in writing in SUP.

- b. Close public hearing at **7:17PM**
- c. Consider and take appropriate action

Councilman Tate moved to approve as presented. Mayor Pro Tem, Mounce made an amendment to accept and approve with the same conditions approved with the timberbrook batch plant. Councilman Tate accepted the amendment.

Seconded by: Councilman Mendoza

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

Councilman Clark abstained.

Approved 4-0

5. **PUBLIC HEARING:** Conduct a public hearing to consider a Specific Use Permit for Twice the Ice (Kiosk use) legally described as A1127A ROBERTS, TR 10A(PT), 0.542 ACRES addressed as FM 407/ HWY 156 (Denton County Parcel # 158751) located south of FM 407.

- a. Open public hearing at **7:48PM**

Greg Scott, 136 Daisy Ln. Justin, TX 76247 - Based on observations in other cities, standards for upkeep or maintenance needs to be included in SUP.

This will be located at the gateway to our city so over time it will come in disrepair. The people who will own this do not live here so their priorities will be elsewhere. Certain upkeep standards should be included with SUP so our gateway will always be beautiful and not become an eyesore. Needs to be in writing.

Lynn Wilson, 617 Ranchwood Dr. Justin, TX 76247- There is NO way this should be approved. These people should be sent packing . This an out of town business which has basically refused to do anything to accommodate the citizens represented by the City of Justin except agree to tear down that "Shade structure" (I could do that in 5 minutes with my truck, it's not going to cost them a dime, as it probably needs to go anyway to accommodate their kiosk. They are not a local business; they will compete with a locally owned business (right across the street) and take money out of our local economy. Its not even a business which is terribly needed in Justin. Why would we want to go out of our

way to bring them here accommodate their demands and encourage this? Their proposal to reduce congestion will not do any such thing. It will still cause congestion at 156 ad 5th Street as well as in their parking area. This is going to be a dangerous location for this business and will make the poorly engineered 5th street intersection even more dangerous. Finally, their “Maintenance Plan” is woefully inadequate. To have a facility like that on our main street where we are trying to encourage growth and development only mowing and doing site maintenance twice a month? I must mow weekly to avoid a violation from the HOA. In summary, nothing in the proposal is acceptable. I strongly encourage you to vote against this item. (These Comments may be entered into the public record).

Charlie Smither with Big Tex Ice spoke to the SUP and answered questions.

Tom Cronberger 806 12th St. Justin, TX 76247 – Parking plan is not the greatest, it does not change the size of the vehicle. There is a safety issue with a left turn outbound onto the highway. As for the maintenance to area, only mowing two times a month will not maintain an almost 1-acre lot. Who mows the remaining part of the lot that is not owned or maintained by Twice the Ice?

Carla Gastineau, 704 Ridgeview Dr. Justin, TX 76247 – the turn lane will not work and has see 18 wheelers take up two lanes, there is no way this will work.

Tracy Kirkpatrick, 517 12th St. Justin, TX 76247 – If approved, get a good plan and good idea of what you are approving in writing and footprint of what is going to be asphalt and not. It seems like we do this a lot where it said we will do this, and we will do that and it never comes back this way. It just doesn’t seem that cut and dry here.

- b. Close public hearing at **8:14PM**
- c. Consider and take appropriate action

Councilman Mendoza moved to deny the request.

Seconded by: Councilman Tate

Aye votes: Councilmembers Mendoza and Tate

Nay votes: Councilmembers Hartle and Clark

With a tie vote Mayor Woodall voted to accept the motion to deny the request.

Councilman Mounce abstained

Motion carries 3-2

6. **PUBLIC HEARING:** Conduct a public hearing to consider amending Chapter 52 of the Code of Ordinances relating to accessory structures and definitions.

- a. Open public hearing at **8:31PM**

Greg Scott, 136 Daisy Ln. Justin, TX 76247 - As I agree with the definitions, it is very important that all setbacks around all properties be enforced. The 2ft and 5ft setbacks have not been enforced in the past for whatever reasons and it effects everyone. As one

property owner doesn't follow the rules, others don't. Becomes a big mess long term. All buildings need a permit.

On a separate note I would like to praise city staff for asking during permit applications if they have approval from their respective HOA. It really helps keep problems from becoming bigger issues.

- b. Close public hearing at **8:32PM**
- c. Consider and take appropriate action

Item Tabled.

POSSIBLE ACTION ITEMS

- 7. Consider and take appropriate action approving Resolution 583-22 in support of FM 1171.

Councilmember Clark moved to approve Resolution 583-22.

Seconded by: Councilwoman Hartle

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

Motion carries

- 8. Consider and take appropriate action amending the City Council social media policy.

Councilmember Clark moved to approve the amendment to the social media policy.

Seconded by: Mayor Pro Tem, Mounce

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

Motion carries

- 9. Consider and take appropriate action on the appointment of a Comprehensive Plan Advisory Committee.

Councilmember Tate moved to approve the appointments to the Comprehensive Plan Advisory Committee as presented.

Seconded by: Councilman Clark

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

Motion carries

CONSENT

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

- 10. Consider and take appropriate action approving City Council meeting minutes dated May 16, 2022 and May 24, 2022.

Mayor Pro Tem, Mounce moved to approve consent items.

Seconded by: Councilwoman Hartle

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

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:
 - Oliver Creek Ranch MUD
 - Justin Crossing Development Agreement
 - Range Road Development Agreement
 - Range Property Development Agreement

Convene into executive session at **8:46PM**

Adjourn into open meeting at **9:28PM**

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

No Action

FUTURE AGENDA ITEMS

- Update on FM 407 alignment
- Discuss golf cart usage on city streets
- Council Dinner
- Review emergency plan

ADJOURN

With there being no further business, the meeting was adjourned at 9:31PM

Brittany Andrews

Brittany Andrews, City Secretary

Seal: