

**MINUTES
WATAUGA CITY COUNCIL
REGULAR MEETING
MONDAY, MAY 13, 2019
CITY HALL, COUNCIL CHAMBER, 7105 WHITELEY ROAD
6:30 PM**

CALL TO ORDER

The City Council of the City of Watauga, Texas convened in the Regular Meeting at 6:41 p.m. with the following members present:

Mayor	Arthur L. Miner
Council Member, Place 1	Scott Prescher
Council Member, Place 2	Tom Snyder
Council Member, Place 3	Lovie Downey
Council Member, Place 4	Andrew Neal
Council Member, Place 5	Juanita King
Council Member, Place 6	Mark Taylor (absent)
Council Member, Place 7	Kim Irving

and

Andrea Gardner, City Manager
Mark Daniel, City Attorney
Terri Johnson, Interim City Secretary
Robert Parker, Chief of Police
Shawn Fannan, Fire Chief
Sandra Gibson, Director of Finance
Paul Hackelman, Director of Public Works
Sal Torres, Director of Parks and Community Services
Marcia Reyna, Director of Human Resources/Civil Service
Lana Ewell, Library Director
Bradley Fraley, Chief Information Officer/PIO

INVOCATION

Council Member Scott Prescher gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Arthur L. Miner led the pledges of allegiance to the United States flag and the State of Texas flag.

ANNOUNCEMENTS

City Staff did not have any announcements.

Council Member Prescher reminded everyone of Watauga Fest scheduled for this upcoming weekend and the Alzheimer's Walk on June 22, 2019 at Capp Smith Park.

DISCUSSION AND APPROVAL OF MEETING AGENDA

1. Consideration and action on approval of meeting agenda

Council Member Prescher made a motion to approve the agenda as presented.

Council Member Tom Snyder seconded the motion, which passed 6-0-1-0 as follows:

AYES: Prescher, Snyder, Downey, Neal, King, Irving
NAYS: None
ABSENT: Taylor
ABSTAIN: None

PRESENTATIONS

1. Presentation of Service Awards for City of Watauga Employees celebrating a milestone anniversary during the month of May 2019.

Andrea Gardner, City Manager, presented a Service Award to City of Watauga Firefighter Justin Morris for celebrating a ten-year anniversary during the month of May 2019.

2. Presentation, discussion and direction on creating a Youth Advisory Council, (YAC).

Sal Torres, Director of Parks and Community Service, reminded Council that a presentation was given by Council Member Prescher at the March 7, 2019 Regular Council meeting on the potential development of a Youth Advisory Council for the City of Watauga. With direction from the City Manager, the Parks & Recreation staff was given the task of formulating the information and presenting it to the Council tonight.

Mr. Torres introduced Magenta Landers, Recreation Programmer for the City, who was at the forefront of formulating and presenting the information.

Ms. Landers gave an overview of a Youth Advisory Council with a power point presentation.

Following discussion by the City Council and receiving details of the process, Council Members unanimously supported the development of a Youth Advisory Committee.

Mr. Torres stated that in a month or two, City staff would submit an ordinance for consideration by the City Council.

3. Presentation, discussion and direction on Water Wells and possible use at public water source.

Brandon Dupree, Utilities Superintendent, gave a presentation covering water well options. He included the major aquifers of Texas, approximate costs to install a water well, as well as estimated annual costs of utilizing the water well. Mr. Dupree reviewed challenges and benefits of the City having their own water well.

Mayor Miner asked who had brought this item forward for the agenda and it was reported that Council Member Prescher asked about it months ago.

The Council Members discussed the issues about a proposed water well with Mr. Dupree.

The Mayor asked Mr. Dupree to bring back additional information for Council consideration.

4. Presentation on a roundabout roadway intersection for Hightower Drive and Whitley Road

Mr. Billy Windham with Burgess & Niple addressed the Council. He explained that he worked with the City on Capital Improvements Projects (CIPs).

Mr. Windham gave a presentation about roundabouts, including safety and efficiency. He discussed the phases of Whitley Road construction and two conceptual designs for a roundabout at Hightower Drive.

Council Member Irving felt that the citizens should be asked how they feel about a roundabout.

Public Works Director, Paul Hackelman, stated that City staff was looking for City Council direction on whether or not to proceed with the planning of a roundabout at Hightower Drive and Whitley Road.

Council Member Prescher stated that all the cities around Watauga were doing them and he supported a roundabout.

Council Member Downey agreed with Mrs. Irving that she would also like to have more citizen input.

Council Member Neal asked if a bike path would be included in the traffic circle. Mr. Hackelman reported that the City was trying to put dedicated bike paths everywhere possible. Mr. Neal stated he was in favor of a roundabout.

Council Member Snyder asked about the accident history at the intersection of Hightower Drive and Whitley Road. Mr. Hackelman stated that he has the information but did not bring it to this meeting. Mr. Snyder also asked if that intersection was a high-traffic area and if the roundabout would accommodate emergency vehicles.

Mr. Hackelman explained that a roundabout would be less expensive to maintain than a signalized intersection.

It was Council's consensus to proceed with more information, including the cost of a roundabout versus a signalized intersection.

5. Presentation of a Proclamation to the Watauga Public Works Department in honor of National Public Works Week, May 19-25, 2019.

Mayor Miner presented a proclamation in honor of National Public Works Week, May 19-25, 2019 to members of the City's Public Works Department.

6. Presentation of a Proclamation to the Watauga Police Department in honor of National Police Week, May 12-18, 2019.

Mayor Miner presented a proclamation in honor of National Police Week, May 12-18, 2019 to members of the City's Police Department.

7. Presentation of Proclamation to The Lifeguard Your Child Campaign, an initiative of Safe Kids North Texas led by Cook Children's Health Care System proclaiming June 2019 as Lifeguard Your Child Month.

Item #7 was pulled from the agenda for this meeting.

CITIZEN'S OPEN FORUM

Citizens addressing the City Council included:

Christy McCauly, 6320 Hunter Glen – welcomed the new Mayor and Council Members. She hoped that the City would come together after all of the politics. She discussed the Explorer Post which is sponsored by the Watauga Police Department. She asked that that program not be neglected.

Chris Campagna, 6600 Brookdale – discussed the Hometown Hero award presented to Scott Prescher and asked why the City Council did not vote on it. Last month, there

were protests for the City receiving an award. He asked about the number of emails between a Council Member and the City Manager.

Danielle Tucker, 5952 Highcrest Drive – has been a resident for 37 years and has never seen this much political warfare in a town of 25,000 people. It saddened her that her own daughter did not like to attend City Council meetings because of how adults acted last month. She spoke on problems she saw in the City of Watauga. She asked that everyone put their differences aside, put their phones down and pay attention to people who are speaking.

Lori Campagna, 6600 Brookdale – requested some information that is highly disturbing regarding the disloyalty, disrespect and humiliation of certain Council Members toward City employees and the use of derogatory names. She stated that the City leaders are not to be disrespected. Mrs. Campagna also talked about threatening letters being sent to her daughter's school.

Kim Foster, 6505 Lampe Drive – wanted to defend herself since Scott Prescher was allowed by the City Council to air out her formal complaint to the citizens during a Council meeting, she felt entitled to tell her side of the truth. She talked about being approached by Scott Prescher, Morris Neal Cooper and Lyndsey Neal with concerns about her running for election against Andrew Neal. She stated that her running was not part of an accused conspiracy by the former Mayor Pro Tem. She said she would be happy to take a lie detector test.

David Griffin, 6401 Kennedy Court – spoke on the issue concerning the citizens. They had always been his priority even when he was retaliated against for doing his job when a citizen made a complaint. This issue is something that has impacted the citizens and that deserve an answer. He wanted to make it clear that he planned to discuss on the April 15, 2019 meeting but was blocked by several Council members. He said that anything he shared with the City Manager in the recent months ended up on Scott Prescher's social media page and was twisted for their own gain. He was approached by several citizens about the water billing issue that happened when citizens were not charged the correct amount. He gave a background on the \$400,000 software issue and asked why a claim had never been filed by the City.

REPORTS

1. Report on Comprehensive Plan Update Timeline and Cost

City Manager Gardner presented a timeline and budget for updating the City's Comprehensive Plan.

2. Report on the 2019 Texas Legislative Session

The City Manager gave a brief review of how a bill is considered in the Texas Legislature. She then gave a detailed review of the 2019 bills in the House of Representative and the Texas Senate.

Mrs. Gardner stated that she would update the City Council through her Bi-Weekly reports.

3. Report on Economic Development Activities

City Manager Gardner introduced Denise Wilkerson, Economic Development Specialist, who presented a report on the first Watauga Business Expo and Fair.

Mayor Miner stated he thought it was an outstanding event and was executed very well.

CONSENT AGENDA

The Mayor asked that Item #7 be removed from the Consent Agenda and moved to New Business.

Mayor Miner read the captions for the Consent Agenda items.

Council Member Snyder made a motion to approve the consent agenda as presented with the removal of Item #7 to New Business. The motion was seconded by Council Member Neal and passed 6-0-1-0 as follows:

AYES: Snyder, Neal, Prescher, Downey, King, Irving

NAYS: None

ABSENT: Taylor

ABSTAIN: None

1. Consideration of January 28, 2019 Public Hearing Minutes
2. Consideration of February 21, 2019 Council Workshop Minutes
3. Consideration of March 7, 2019 Council Workshop Minutes
4. Consideration of March 7, Council Regular Meeting Minutes
5. Consideration of March 26, 2019 Council Special Meeting Minutes
6. Consideration of April 8, 2019 Council Workshop Minutes
7. Consideration of April 8, 2019 Council Regular Meeting Minutes

This item was moved to the last item under New Business. Council Member Irving had left the meeting before this item was considered.

Mayor Miner corrected an error on the minutes for the April 8, 2019 Council Regular Meeting.

Council Member Prescher made the motion to approve the April 8, 2019 Council Regular Meeting minutes as amended.

The motion was seconded by Council Member Snyder and passed with the following vote of 5-0-2-0:

AYES: Prescher, Snyder, Downey, Neal, King

NAYS: None

ABSENT: Taylor, Irving

ABSTAIN: None

8. Consideration of April 15, 2019 Council Special Meeting Minutes
9. Consideration of an ordinance adopting the 2018 International Building Code (IBC) with local amendments {CAPTION}

ORDINANCE NO. 1689

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 103, ARTICLE II, SECTIONS 103-19 AND 103-20 OF THE CITY OF WATAUGA CODE OF ORDINANCES; PROVIDING THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE SHALL BE ADOPTED AS THE CITY OF WATAUGA BUILDING CODE; PROVIDING THAT THE CITY OF WATAUGA INCORPORATE THE RECOMMENDED AMENDMENTS TO THE 2018 INTERNATIONAL BUILDING CODE FROM THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS DATED SEPTEMBER 2018 INTO THE 2018 INTERNATIONAL BUILDING CODE; AMENDING THE ADDITIONAL REQUIREMENTS UNDER SECTION 103-20 REGARDING PERMIT REQUIREMENTS FOR DETACHED BUILDINGS AND DECKS; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

10. Consideration of an ordinance adopting the 2018 International Residential Code (IRC with local amendments {CAPTION}

ORDINANCE NO. 1690

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 103, ARTICLE III, SECTION 103-44 OF THE CITY OF WATAUGA CODE OF ORDINANCES; PROVIDING THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE SHALL BE ADOPTED AS THE CITY OF WATAUGA RESIDENTIAL CODE; PROVIDING THAT THE CITY OF WATAUGA INCORPORATE THE RECOMMENDED AMENDMENTS TO THE 2018 INTERNATIONAL RESIDENTIAL CODE FROM THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS DATED SEPTEMBER 2018 INTO THE 2018 INTERNATIONAL RESIDENTIAL CODE; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

11. Consideration of an ordinance adopting the 2018 International Energy Conservation Code (IECC) with local amendments {CAPTION}

ORDINANCE NO. 1691

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 103, ARTICLE IV, SECTION 103-62 OF THE CITY OF WATAUGA CODE OF ORDINANCES; PROVIDING THE 2018 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE SHALL BE ADOPTED AS THE CITY OF WATAUGA ENERGY CONSERVATION CODE; PROVIDING THAT THE CITY OF WATAUGA INCORPORATE THE RECOMMENDED AMENDMENTS TO THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE FROM THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS DATED SEPTEMBER 2018 INTO THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

12. Consideration of an ordinance adopting the 2017 National Electrical Code (NEC) with local amendments {CAPTION}

ORDINANCE NO. 1692

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 103, ARTICLE V, SECTION 103-83 AND SECTION 103-84 OF THE CITY OF WATAUGA CODE OF ORDINANCES; PROVIDING THE 2017 EDITION OF THE NATIONAL ELECTRICAL CODE SHALL BE ADOPTED AS THE CITY OF WATAUGA ELECTRICAL CODE; PROVIDING THAT THE CITY OF WATAUGA INCORPORATE THE RECOMMENDED AMENDMENTS TO THE 2017 NATIONAL ELECTRICAL CODE FROM THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS INTO THE 2017 NATIONAL ELECTRICAL CODE DESIGNATED AS 2017 NEC REGIONAL AMENDMENTS; PROVIDING FOR THE AMENDMENT OF SECTION 103-84 TO INCORPORATE ADDITIONAL LOCAL REQUIREMENTS; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

13. Consideration of an ordinance adopting the 2018 International Plumbing Code (IPC) with local amendments {CAPTION}

ORDINANCE NO. 1693

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 103, ARTICLE VI, DIVISION 2, SECTION 103-140 OF THE CITY OF WATAUGA CODE OF ORDINANCES; PROVIDING THE 2018 EDITION OF THE INTERNATIONAL PLUMBING CODE SHALL BE ADOPTED AS THE CITY OF WATAUGA PLUMBING CODE; PROVIDING THAT THE CITY OF WATAUGA INCORPORATE THE RECOMMENDED AMENDMENTS TO THE 2018 INTERNATIONAL PLUMBING CODE FROM THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS DATED SEPTEMBER 2018 INTO THE 2018 INTERNATIONAL PLUMBING CODE; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

14. Consideration of an ordinance adopting the 2018 International Fuel Gas Code (IFGC) with local amendments {CAPTION}

ORDINANCE NO. 1694

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 103, ARTICLE VII, SECTION 103-223 OF THE CITY OF WATAUGA CODE OF ORDINANCES; PROVIDING THE 2018 EDITION OF THE INTERNATIONAL FUEL GAS CODE SHALL BE ADOPTED AS THE CITY OF WATAUGA FUEL GAS CODE; PROVIDING THAT THE CITY OF WATAUGA INCORPORATE THE RECOMMENDED AMENDMENTS TO THE 2018 INTERNATIONAL FUEL GAS CODE FROM THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS DATED SEPTEMBER 2018 INTO THE 2018 INTERNATIONAL FUEL GAS CODE; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

15. Consideration of an ordinance adopting the 2018 International Mechanical Code (IMC) with local amendments {CAPTION}

ORDINANCE NO. 1695

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 103, ARTICLE VIII, DIVISION 2, SECTIONS 103-276, 103-277 AND 103-278 OF THE CITY OF WATAUGA CODE OF ORDINANCES; PROVIDING THE 2018 EDITION OF THE INTERNATIONAL MECHANICAL CODE SHALL BE ADOPTED AS THE CITY OF WATAUGA MECHANICAL CODE; PROVIDING THAT THE CITY OF WATAUGA INCORPORATE THE RECOMMENDED AMENDMENTS TO THE 2018 INTERNATIONAL MECHANICAL CODE FROM THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS DATED SEPTEMBER 2018 INTO THE 2018 INTERNATIONAL MECHANICAL CODE; PROVIDING FOR THE REMOVAL OF A SECTION DEDICATED TO RELATED APPEALS AND REPLACING IT WITH THE RESERVATION OF SECTIONS 103-278 THROUGH 103-304 FOR FUTURE UTILIZATION; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

16. Consideration of an ordinance repealing Chapter 103, Article IX Sections 103-305 through 103-330 (Housing Code) of the City of Watauga Code of Ordinances

providing the Housing Code is no longer relevant or necessary given the adoption of both the 2018 edition of the International Building Code (IBC) and 2018 edition of the International Residential Code (IRC) with local amendments {CAPTION}

ORDINANCE NO. 1696

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS REPEALING CHAPTER 103, ARTICLE IX, SECTIONS 103-305 THROUGH 103-330 (“HOUSING CODE”) OF THE CITY OF WATAUGA CODE OF ORDINANCES; PROVIDING THAT THE HOUSING CODE IS NO LONGER RELEVANT OR NECESSARY GIVEN THE ADOPTION OF BOTH THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE AND THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

17. Approval of the Quarterly Investment Report for the period ending March 31, 2019
18. Approval of the Monthly Financial Report for the period ending March 31, 2019
19. Consideration and action of Ordinance to amend Chapter 12 Fee Schedule, Section 12-30, Chapter 30 to add a fee for the Youth Fire Camp {CAPTION}

ORDINANCE NO. 1697

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 12 FEE SCHEDULE OF THE CODE OF ORDINANCES FOR THE CITY OF WATAUGA, TEXAS, PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

20. Consideration of an Interlocal Agreement for Blue-Green-Grey Project (Rain Gardens on Hightower Drive) between the North Central Texas Council of Governments (NCTCOG) and the City of Watauga

This item was pulled from the agenda prior to tonight's meeting.

21. Consideration of an ordinance amending the City of Watauga Code of Ordinances, Chapter 111 – Signs, Section 111-85 in relation to Changeable Electronic Variable Message Signs (CEVMS) {CAPTION}

ORDINANCE NO. 1698

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 111 (SIGNS), SECTIONS 115-85 OF THE CODE OF ORDINANCES FOR THE CITY OF WATAUGA, TEXAS, REGARDING GENERAL STANDARDS; PROVIDING FOR CONDITIONS FOR THE UTILIZATION AND ISSUANCE OF PERMITS FOR CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGNS; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

22. Consideration of an ordinance amending Chapter 26, Sections 26-301, 26-302 and 26-303 in relation to Electronic Cigarettes. The amendments to Chapter 26 provide for additional definitions as well as provide clarification regarding the prohibited uses of electronic cigarettes in City facilities and in public places {CAPTION}

ORDINANCE NO. 1699

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 26, SECTIONS 26-301, 26-302 AND 26-303 OF THE CODE OF ORDINANCES FOR THE CITY OF WATAUGA, TEXAS, REGARDING ELECTRONIC CIGARETTES; PROVIDING FOR AMENDMENTS TO THE DEFINITIONS SECTION AS WELL AS CLARIFYING THE PROHIBITION OF USING ELECTRONIC CIGARETTES IN CITY FACILITIES AND PUBLIC PLACES; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

23. Consideration of an ordinance amending Chapter 26, adopting proposed Article VII in order to establish a Smoking Ordinance; and repealing existing Section 28-1, which currently regulates smoking in City facilities {CAPTIONS}

ORDINANCE NO. 1700-A

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS ADOPTING CHAPTER 26, ARTICLE VII OF THE CODE OF ORDINANCES FOR THE CITY OF WATAUGA, TEXAS, ESTABLISHING THE CITY OF WATAUGA SMOKING ORDINANCE; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 1700-B

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS REPEALING CHAPTER 28, SECTION 28-1 ("SMOKING AND USE OF TOBACCO IN CITY FACILITIES") OF THE CITY OF WATAUGA CODE OF ORDINANCES; PROVIDING THAT SECTION 28-1 IS NO LONGER NECESSARY GIVEN THE ADOPTION OF CHAPTER 26, ARTICLE VII ("SMOKING ORDINANCE"); PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

Mayor Miner called for a 12-minute recess. The Mayor reconvened the Regular Meeting at 9:04 p.m.

PUBLIC HEARING

1. **Planning and Zoning Case Z-19-03:** Consider request for a zoning change for a new 70-lot single family home subdivision named Hightower Estates, from SF-6 to Planned Development. The subject property is located at 6000 and 6001 Hightower Drive. Watauga Commons, LLC, Sunny Partovi, owner/applicant

The Mayor opened the Public Hearing at 9:04 p.m and stated that he would first allow Staff comments, followed by the property owner. Then public comments in favor of the request would be taken first, following by public comments against the request.

Randy Richards, Building Official presented a power point presentation on P&Z Case Z-19-03 for a requested zoning change from SF-6 to Planned Development for property located at 6000 and 6001 Hightower Drive which will become a new 70-lot single family home subdivision. Mr. Richards stated that the P&Z Commission considered this request on April 2, 2019. He reported that all requirements were met. The notice was published in the newspaper on March

15, 2019 and notices sent to properties within 200' of the requested change. Staff received a total of five responses. Four responses recommended denial and one recommended approval.

The P&Z Commission reviewed Case Z-19-03 on April 2, 2019 with the first public hearing and recommended approval of the zoning change to the Council.

Mr. Richards reviewed details of the proposed development.

Property owner Sunny Partovi was present and his developer, Mr. John Pierret addressed the Council on his behalf. He addressed the concerns voiced by the P&Z about drainage in the area. A slide was reviewed that showed the drainage going away from any existing lots.

Mr. Pierret asked for City Council approval per the P&Z recommendation.

There were no questions from the City Council, nor the anyone from the public.

Mayor Miner closed this Public Hearing at 9:10 p.m.

2. **Planning and Zoning Case Z-19-04:** Consider recommendation for a FLUM (Future Land Use Map) revision for 3.2444 acres out of the William J Miller Survey, Abstract No. 1020, from "Parks and Open Space" to "Local Office/Retail/Commercial".

The Mayor opened the Public Hearing at 9:11 p.m.

Paul Hackelman, Director of Public Works, addressed the Council on this item. He announced that this is the 6200 Watauga Road property next to the BSD school to the north.

Mr. Hackelman explained the City's Future Land Use Map and stated that after any re-zoning this map was updated to match that re-zoning. He reported that it had been advertised in the newspaper and notices had been sent to property owners within 200' as required. There were two responses: one against and one in favor.

This property was acquired by the City in May, 1996 as open space. In March 2019, the Council recommended the property be transferred to the Watauga Economic Development Corporation (previously named the Parks Development Corporation).

The revision to the City's Future Land Use Map was approved by the Planning & Zoning Commission on April 23, 2019 with a five to one vote from "Parks and Open Space" to "Local Office/Retail/Commercial".

Public Comments in favor: None

Public Comments against:

Paul Hopkins, 7509 Meadowbrook Drive – not so much in favor or against the property being sold. He did not have a problem with the land being sold but felt that at least some of the monies should go to the Parks.

Christy McCauley – is a member of the P&Z and was the vote against the change. She expressed her feelings about the unethical change in the use of this property and discussed the need of this property being developed of some sort of park. She did not like the idea that the monies would be put into the General Fund.

She encouraged the Council to walk Nat Brooks Park. More greenspace is needed.

City Manager Gardner stated that the funds will not be going into the General Fund. They would be going in the Economic Development Fund which is separate from the City's General Fund.

The Mayor closed the Public Hearing at 9:18 p.m.

3. Planning and Zoning Case Z-19-05: Consider recommendation to a zoning change for 3.2444 acres out of the William J Miller Survey, Abstract No 1020 from GU (Government Use) to GB (General Business). The subject property is located at 6200 Watauga Road. City of Watauga, owner/applicant
Mayor Miner opened the Public Hearing at 9:18 p.m.

Director of Public Works Hackelman addressed the Council. This is the same property as the previous Public Hearing. The rezoning is for property located at 6200 Watauga Road and the request is to change from GU (Government Use) to GB (General Business).

Council Member Prescher asked if the property could have been used for any government use other than a park.

Mr. Hackelman explained that the City has basically had the property since May 1996 but had never developed it as a park. Sometime in 2018, the City did approach the heirs to correct the deed so the property could serve a different benefit the citizens of Watauga.

The City Manager stated this was included in a broad look at the vacant land owned by the City.

Mr. Prescher asked if anyone knew why the property was never developed as a park.

Sal Torres, Director of Parks and Community Services, spoke to the Council and explained the considerations of the City for developing the property. He stated that with the school across the street, there were safety concerns for children crossing a major thoroughfare. He reported that the land is totally undeveloped with no electrical and no water available. Park funding was reduced in 2012 when the voters changed the way the sales tax was distributed. Budgetary issues were part of the concern.

Mayor Miner added that as President of the Watauga Parks Development Corporation during that time, economics was a big issue, as well as location and Police Chief Parker's input on safety issues.

There were no public comments in favor.

Public Comments against:

Christy McCauley discussed how safe the school had made their property for the children. She gave suggestions for different types of parks, rather than just one where children could play. She asked the Council not to get rid of this property. She felt like that side keeps getting neglected and that everything was put into Capp Smith park. A greenspace is needed in this area.

The Mayor closed the Public Hearing at 9:27 p.m.

UNFINISHED BUSINESS

1. Consideration and possible action of an ordinance amending Chapter 40 of the Code of Ordinances for the City of Watauga regarding Section 40-210(3) Commercial Vehicles, Section 40-211(A), Recreational Vehicles, and 40-212, Exceptions {CAPTION}

Chief Parker addressed the Council and announced that this proposed ordinance was developed after last month's Council meeting. They had recommended changes in verbiage and possible allowances for trailers being parked in the roadway during working hours while working on a project. It would be up to Council if they would like to see an exception for trailers parked overnight.

Council Member Prescher stated that this proposed ordinance did not address the issues people from the last meeting were having.

Chief Parker said the question was to really allow people to park their trailers in front of their house.

Prescher suggested that a permit application be used for those individuals who needed to park business trailers overnight in the street.

City Manager Gardner stated that the City could not arbitrarily enforce an ordinance. It is an all-or-none. It would put the Police Department in a policy making position instead of an enforcement position.

City Attorney Daniel stated that the permitting process would be a nightmare.

Council Member Downey asked if the residents could get a variance to the ordinance and the City Attorney reported that this is not an issue covered by variances.

Council Member Prescher made the motion to approve the ordinance as presented.

The motion was seconded by Council Member Neal and passed 6-0-1-0 as follows:

AYES: Prescher, Neal, Snyder, Downey, King, Irving
NAYS: None
ABSENT: Taylor
ABSTAIN: None

ORDINANCE NO. 1701

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES FOR THE CITY OF WATAUGA, TEXAS REGARDING SECTION 40-210(3), COMMERCIAL VEHICLES, SECTION 40-211(A), RECREATIONAL VEHICLES, AND 40-212, EXCEPTIONS; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AND EFFECTIVE DATE.

Mayor Miner announced that he had failed to ask for public comments prior to the vote, so he opened the floor at this time for comments:

Barbara Martin, 6808 Richardson Drive – operate a home business since 1986 out of their home. The trailer has been there since 1998. She gave a brief history of this issue with their business trailer. She stated that she didn't know

what the solution was. All of the neighbors have stated that they do not have a problem with it. She would like the Council to give them suggestions on solving their problem.

2. Consideration and possible action on a proposed ordinance adopting Chapter 6, Article VII, Division 3 of the Watauga Code of Ordinances, providing for the creation of regulations concerning backyard chickens {CAPTION}

City Manager Gardner reported that Council Member Prescher asked that this be placed on the agenda.

Public Comments in favor:

Paul Hopkins, 7509 Meadowbrook – stated that he had been pro-chickens from the start. He mentioned that the State Legislature is considering a bill about backyard chickens in this session. Mr. Hopkins said the ordinance looked good for everyone and it was time to stop talking and pass the ordinance.

Chris Campagna, 6600 Brookdale – was concerned about stray dogs attacking the chickens.

Council Member Prescher stated that everyone had seen the ordinance and made the motion to approve with the following changes:

Sec. 6-375 (a): strike the words “not less than three (3) and” and just leave no more than six (6) backyard chickens.

This same change would need to be made on page 3 under Sec. 6-376 (a).

Just above that in the first paragraph of Sec. 6-376, second line, delete the word “or” before an education facility and add a comma after facility with the addition of “or a not for profit organization”. This would allow a church.

On page 4, paragraph (c) would have this wording added on the second line after rear half of the lot “; however, the use of a garage or indoor space may be utilized for extreme cold or brooding.”

Paragraph (d) on page 4 would state that not less than “four (4)” would replace “six (6)”.

Paragraph (e) would have additional wording at the end of the paragraph following the word height, change the semi-colon to a comma and add “excluding the height of any structure utilized to store and maintain the chicken coop;”

On page 5, Sec. 6-377 (a) (3) delete the words "above grade, measured at the lowest elevation property line in the rear yard, even if located on top of the exercise yard". Then add the same language as paragraph (e) on page 4.

The motion was seconded by Council Member Snyder.

City Manager Gardner asked that the ordinance become effective at least 60 days out in order to get the process in place.

Council Member Irving wanted the record to reflect that there were residents that are not in favor of this ordinance.

Council Member Neal made the motion to amend the original motion to make the ordinance effective date 60 days from today's date. The motion to amend was seconded by Council Member Prescher and passed 5-1-1-0 as follows:

AYES: Neal, Prescher, Snyder, Downey, King
NAYS: Irving
ABSENT: Taylor
ABSTAIN: None

The vote on the amended main motion to approve the ordinance with following changes listed by Council Member Prescher, as well as making the effective date 60 days out passed 5-1-1-0 as follows:

AYES: Prescher, Snyder, Downey, Neal, King
NAYS: Irving
ABSENT: Taylor
ABSTAIN: None

ORDINANCE NO. 1702

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS ADOPTING CHAPTER 6, ARTICLE VII, DIVISION 3 OF THE CODE OF ORDINANCES OF THE CITY OF WATAUGA, TEXAS; PROVIDING FOR THE CREATION OF REGULATIONS CONCERNING THE KEEPING AND HARBORING OF BACKYARD CHICKENS; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

3. Consideration and action on a proposed ordinance amending Chapter 12, Section 12-6 of the Watauga Code of Ordinances, establishing fees and fines regarding Backyard Chickens {CAPTION}

Police Chief Parker reminded the Council that this was a companion item to the previous ordinance allowing backyard chickens. He stated that the Finance Department and the Police Department had worked together to make sure these fees and fines lined up with other animal fees and fines.

There were no public comments on this item.

Council Member Neal made the motion to approve the ordinance as presented.

The motion as seconded by Council Member Snyder and passed 5-1-1-0 as follows:

AYES: Neal, Snyder, Prescher, Downey, King
NAYS: Irving
ABSENT: Taylor
ABSTAIN: None

ORDINANCE NO. 1703

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 12, SECTION 12-6 OF THE CODE OF ORDINANCES OF THE CITY OF WATAUGA, TEXAS; PROVIDING FOR THE CREATION OF FEES AND FINES IN RELATION TO THE KEEPING AND HARBORING OF BACKYARD CHICKENS; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

NEW BUSINESS

1. Consideration, discussion and action on amending the City of Watauga Code of Ordinances Sections 30-19, 30-20 and 30-21 regarding the Watauga Park Development Corporation members, responsibilities, and duties of members to include broader language allowing for all State authorized Type B projects to be conducted by the Board in accordance with Texas Local Government Code Chapters 501 502, and 505 {CAPTION}

City Manager Gardner reported that these changes were approved by the WEDC at their meeting on March 19, 2019 and they recommended approval of this ordinance.

There were no citizen comments on this item.

Council Member Downey made a motion to approve the item as presented. The motion was seconded by Council Member Snyder and passed 6-0-1-0 as follows:

AYES: Downey, Snyder, Prescher, Neal, King, Irving
NAYS: None
ABSENT: Taylor
ABSTAIN: None

ORDINANCE NO. 1704

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 30, ARTICLE II OF THE CODE OF ORDINANCES OF THE CITY OF WATAUGA, TEXAS; PROVIDING FOR THE RENAMING OF ARTICLE II TO "THE WATAUGA ECONOMIC DEVELOPMENT CORPORATION"; PROVIDING FOR AMENDMENTS TO SECTIONS 30-19, 30-20 AND 30-21 REGARDING NEW MEMBERS, RESPONSIBILITIES AND DUTIES OF MEMBERS IN CONNECTION TO THE WATAUGA ECONOMIC DEVELOPMENT CORPORATION; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

2. **Planning and Zoning Case No. A-19-03:** Discussion and action on approval of a proposed ordinance for a new 70-lot single family home subdivision named Hightower Estates, from SF-6 to Planned Development. The subject property is located at 6000 and 6001 Hightower Drive. Watauga Commons, LLC, Sunny Partovi, owner/applicant {CAPTION}

There were no citizens who requested to speak on this item.

Council Member Snyder made a motion to approve this item as presented.

Council Member Irving seconded the motion, which passed 6-0-1-0 as follows:

AYES: Snyder, Irving, Prescher, Downey, Neal, King
NAYS: None
ABSENT: Taylor

ABSTAIN: None

ORDINANCE NO. 1705

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS FOR THE PURPOSE OF AUTHORIZING A ZONING CHANGE FOR THE PROPERTY LOCATED AT 6000 AND 6001 HIGHTOWER DRIVE FROM SINGLE-FAMILY DISTRICT (SF-6) TO PLANNED DEVELOPMENT DISTRICT (PD) AS DESCRIBED IN PLANNING AND ZONING CASE #Z-19-03; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

3. Consideration and action on approval of a proposed resolution to establish a City Secretary Search Sub-Committee and select three (3) members to serve on the sub-committee {CAPTION}

HR Director Marcia Reyna reported that the City Secretary position reports to the City Council. It was Staff suggestion that the City Council establish a City Secretary Search Sub-Committee of three members to review the applications and recommend the ones to be interviewed. The City Manager will also be part of the committee.

She announced that over 40 applications had been received for the open position and over half are very well qualified.

There were no public comments on this item.

Council Member Prescher nominated Kim Irving, Andrew Neal and Art Miner to make up this sub-committee. All agreed to serve in this capacity.

Council Member Snyder made the motion to approve this item. The motion was seconded by Council Member Downey.

Council Member Prescher amended the main motion to select Council Member Kim Irving, Council Member Andrew Neal and Mayor Art Miner to serve on this sub-committee.

Council Member Snyder seconded the motion to amend with a 6-0-1-0 vote as follows:

AYES: Prescher, Snyder, Downey, Neal, King, Irving
NAYS: None

ABSENT: Taylor
ABSTAIN: None

The vote on the amended main motion to approve this item with Council Members Kim Irving, Andrew Neal and Mayor Art Miner serving on the committee was 6-0-1-0 as follows:

AYES: Snyder, Downey, Prescher, Neal, King, Irving
NAYS: None
ABSENT: Taylor
ABSTAIN: None

RESOLUTION NO. 19-05-13-02

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS PROVIDING FOR THE CREATION OF A CITY SECRETARY SEARCH SUB-COMMITTEE TO SCREEN APPLICANTS FOR THE POSTION OF CITY SECRETARY OF THE CITY OF WATAUGA AND MAKE RECOMMENDATIONS TO THE CITY COUNCIL; PROVIDING FOR THE MEMBERS, DUTIES AND OPERATING PROCEDURES, PROVIDING THAT ALL RESOLUTIONS IN CONFLICT HEREWITH ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE

4. Consideration and action on selection of a Mayor Pro Tem per the City of Watauga Home Rule Charter, Section 3.06 (d).

Mayor Miner nominated Council Member Mark Taylor to serve as Mayor Pro Tem until May 2020.

Council Member Irving nominated herself.

There were no other nominations.

The vote on Council Member Mark Taylor to serve as Mayor Pro Tem until May 2020 was 5-1-1-0 as follows:

AYES: Prescher, Snyder, Downey, Neal, King
NAYS: Irving
ABSENT: Taylor
ABSTAIN: None

Council Member Mark Taylor was duly elected to serve as Mayor Pro Tem until May 2020.

5. Consideration and action on appointing citizen members to serve on the City Manager's Workgroup for the purpose of completing the Comprehensive Plan Update

City Manager Gardner asked the Council to appoint a minimum of four (4) citizens to this workgroup.

There were no citizens who addressed the Council on this item.

Council Member Prescher made the motion to authorize the City Manager to pick the members of her Workgroup from the applications submitted. The motion was seconded by Council Member Neal and passed unanimously 6-0-1-0 as follows:

AYES: Prescher, Neal, Snyder, Downey, King, Irving
NAYS: None
ABSENT: Taylor
ABSTAIN: None

Council Member Irving left the meeting at this time.

6. Consideration and action on the purchase of four total 2019 trucks from Sam Pack's Five Star Ford for the Public Works Department in the amount not to exceed \$125,202

Jennifer Walls, Purchasing Agent, presented this item to the City Council.

Council Member Neal asked what the expected life usage was of the City's vehicles.

Paul Hackelman explained that typically City policy was 6-8 years and/or 100,000 miles. The vehicles being replaced include a 1997 Ford F150, a 1998 Ford F150, a 2002 Ford F150, and a 2003 Ford F150. All of the vehicles have somewhere between 80,000-115,000 miles. They are well past the end of their life.

There were no citizens' comments on this item.

Council Member Neal made the motion to approve the purchase of four 2019 trucks from Sam Pack's Five Star Ford for the Public Works Department in the amount not to exceed \$125,202.

Council Member Prescher seconded the motion which passed 5-0-2-0 as follows:

AYES: Neal, Snyder, Prescher, Downey, King
NAYS: None
ABSENT: Taylor, Irving
ABSTAIN: None

7. **Planning and Zoning Case No. Z-19-04:** Discussion and action on approval of a proposed ordinance for a FKLUM (Future Lane Use Map) revision for 3.2444 acres out of the William J Miller Survey, Abstract No. 1020, from "Parks and Open Space" to "Local Office/Retail/Commercial" {CAPTION}

No citizens spoke on this item.

The motion was made by Council Member Snyder to accept the ordinance as presented. The motion was seconded by Council Member Downey as passed 5-0-2-0 as follows:

AYES: Snyder, Downey, Prescher, Neal, King
NAYS: None
ABSENT: Taylor, Irving
ABSTAIN: None

ORDINANCE NO. 1706

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING THE FUTURE LAND USE MAP ("FLUM") IN CONNECTION WITH THE REZONING OF 3.2444 ACRES OUT OF THE WILLIAM J MILLER SURVEY, ABSTRACT NO. 1020, LOCATED AT 6200 WATAUGA ROAD FROM GOVERNMENTAL USE DISTRICT (GU) TO GENERAL BUSINESS DISTRICT (GB) AS DESCRIBED IN PLANNING AND ZONING CASE #Z-19-05; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

8. **Planning and Zoning Case No. Z-19-05:** Discussion and action on approval of a proposed ordinance for a Zoning Change for 3.2444 acres out of the William J Miller Survey, Abstract No. 1020 from GU (Government Use) to GB (General Business){CAPTION}

There were no citizen comments on this item.

Council Member Snyder made the motion to accept this item as presented.

The motion was seconded by Council Member Downey and passed 5-0-2-0 as follows:

AYES: Snyder, Downey, Prescher, Neal, King
NAYS: None
ABSENT: Taylor, Irving
ABSTAIN: None

ORDINANCE NO. 1707

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS FOR THE PURPOSE OF AUTHORIZING A ZONING CHANGE FOR 3.2444 ACRES OUT OF THE WILLIAM J MILLER SURVEY, ABSTRACT NO. 1020, LOCATED AT 6200 WATAUGA ROAD FROM GOVERNMENTAL USE DISTRICT (GU) TO GENERAL BUSINESS DISTRICT (GB) AS DESCRIBED IN PLANNING AND ZONING CASE #Z-19-05; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

9. Consideration and action to amend Chapter 42-82 and Chapter 12, Fee Schedule, Section 12-42 of the Code of Ordinances to allow for a water and sewer discount for seniors over 65 that are renting property in the City of Watauga and disabled citizens who receive the disability exemption through the Tarrant Appraisal District {CAPTIONS}

Sandra Gibson, Finance Director gave the Council a brief update of the current monthly discounts offered on the water and sewer bills. This proposed ordinance would extend the \$5.00 discount on water and \$5.00 discount on sewer to property owners or renters. A disabled discount under Tarrant Appraisal District disability exemption is also included.

Council Member Prescher asked what the cost would be if the discounts would be extended to the disabled. Mrs. Gibson reported that it would probably run approximately \$8,400/year. That would bring the total discounts for over 65 and disabled citizens to approximately \$210,000/annually.

Council Member Neal asked Mrs. Gibson if they had projected what that number would look like over the next several years. She stated that the number is growing with about 100-200 over 65 added each year. They haven't kept track of the disabled numbers.

No one in the audience addressed this item.

Council Member Prescher made the motion to accept the ordinance as presented excluding the disability discount.

The motion was seconded by Council Member King and passed 5-0-2-0 as follows:

AYES: Prescher, King, Snyder, Downey, Neal
NAYS: None
ABSENT: Taylor, Irving
ABSTAIN: None

ORDINANCE NO. 1708-A

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 12 (FEE SCHEDULE), SECTION 12-42(A) AND (B) OF THE CODE OF ORDINANCES FOR THE CITY OF WATAUGA, TEXAS, REGARDING WATER AND SEWER RATES FOR THE CITY OF WATAUGA WATER AND WASTEWATER SYSTEM; PROVIDING FOR DISCOUNTS FOR RESIDENTIAL CUSTOMERS OVER THE AGE OF 65; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 1708-B

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 42 (UTILITIES), SECTIONS 42-81 AND 42-82 OF THE CODE OF ORDINANCES FOR THE CITY OF WATAUGA, TEXAS, REGARDING WATER AND SEWER RATES FOR THE CITY OF WATAUGA WATER AND WASTEWATER SYSTEM; PROVIDING FOR DISCOUNTS FOR RESIDENTIAL CUSTOMERS OVER THE AGE OF 65; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

10. Consideration and Possible action to amend section 22.1- Charitable donation collection containers to include Keller Independent School District property within the City of Watauga as an exception {CAPTION}

Police Chief Parker explained to the Council that this was a clean-up of this ordinance that would include both Birdville Independent School District and Keller School District.

There were no citizens' comments.

Council Member Andrew Neal made the motion to accept the ordinance as presented.

The motion was seconded by Council Member Downey and passed 5-0-2-0 with the following vote:

AYES: Prescher, King, Snyder, Downey, Neal
NAYS: None
ABSENT: Taylor, Irving
ABSTAIN: None

ORDINANCE NO. 1709

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING ARTICLE I, SECTION 22-1(c) OF THE CODE OF ORDINANCES FOR THE CITY OF WATAUGA, TEXAS, REGARDING CHARITABLE DONATION COLLECTION CONTAINERS AND EXCEPTIONS THERETO; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AND EFFECTIVE DATE.

11. Consideration and possible action regarding legal services for the City of Watauga

Council Member Prescher asked for this item to be placed on the agenda. He reported that a letter of resignation had been presented by the City Attorney effective June 30, 2019.

There were no citizen comments on this item.

Council Member Prescher made a motion to accept the resignation from the City Attorney Mark Daniel effective June 30, 2019 and authorize the City Manager to engage interim legal services for the City and to begin the process for searching for a permanent replacement for an attorney and/or law firm.

Council Member Snyder seconded the motion.

Council Member Neal made a motion to amend the main motion to add an RFQ for legal services for the City of Watauga. The amendment was seconded by Council Member Downey and passed 5-0-2-0 as follows:

AYES: Prescher, King, Snyder, Downey, Neal
NAYS: None
ABSENT: Taylor, Irving
ABSTAIN: None

The vote on the amended main motion to accept the resignation from City Attorney Mark Daniel effective June 30, 2019 and authorize the City Manager to engage interim legal services for the City, and to add an RFQ to begin the process for searching for a permanent replacement for an attorney and/or law firm was 5-0-2-0 as follows:

AYES: Prescher, King, Snyder, Downey, Neal
NAYS: None
ABSENT: Taylor, Irving
ABSTAIN: None

City Attorney Daniel told the Council that there would be a transition period, especially with Public Information requests that he would complete. He stated that he had a volume of files that was staggering if the City ever needed anything.

Consent Agenda Item #7 was considered at this time in the meeting. Please see the details above.

ITEMS FOR FUTURE CITY COUNCIL MEETINGS

Council Member Prescher would like to get a firm yes or no on the trailer issue.

The Regular meeting was recessed at 10:58 p.m. and Council went into Executive Session.

EXECUTIVE SESSION

The City Council will convene in executive session pursuant to (Texas Open Meetings Act), Chapter 551 of the Texas Government Code, Section 551.072, which allows the following:

1. Deliberation regarding real property (Texas Government Code, Sec. 551.072) – 0.45 acres Astor Heights Addition Block 16 Lot 12R
2. Deliberation regarding real property (Texas Local Government Code, Sec. 551.072) – 0.27 acres vacant land described as follows: Condra, John Survey, Abstract 309 Tract 1A02B

3. Deliberation regarding real property (Texas Government Code, Sec. 551.072) – 0.27 acres described as follows: Condra, John Survey, Abstract 309, Tract 1A02B

RECONVENE

The Regular meeting was reconvened at 11:12 p.m.

ITEMS OF EXECUTIVE SESSION DELIBERATION

1. Consideration and action as a result of the Executive Session deliberating the following: 0.45 acres Astor Heights Addition Block 16 Lot 12R

Council Member Snyder made the motion to authorize the City Manager send letter of declination.

The motion was seconded by Council Member King and passed 5-0-2-0 with the following vote:

AYES: Prescher, King, Snyder, Downey, Neal
NAYS: None
ABSENT: Taylor, Irving
ABSTAIN: None

2. Consideration and action as a result of the Executive Session deliberating the following: 0.27 acres vacant land described as follows: Condra, John Survey, Abstract 309 Tract 1A02B

Council Member Neal made the motion to authorize the City Manager send letter of declination.

The motion was seconded by Council Member Downey and passed 5-0-2-0 with the following vote:

AYES: Prescher, King, Snyder, Downey, Neal
NAYS: None
ABSENT: Taylor, Irving
ABSTAIN: None

3. Consideration and action as a result of the Executive Session deliberating the following: 0.27 acres described as follows: Condra, John Survey, Abstract 309, Tract 1A02B

Council Member Snyder made the motion to authorize the City Manager send declination.

The motion was seconded by Council Member Neal and passed 5-0-2-0 with the following vote:

AYES: Prescher, King, Snyder, Downey, Neal
NAYS: None
ABSENT: Taylor, Irving
ABSTAIN: None

ADJOURNMENT

With no further business at hand, Mayor Miner adjourned the Regular Meeting at 11:16 p.m.

APPROVED: this the 8th day of July, 2019

SIGNED: this the 11th day of July, 2019

APPROVED:

/s/ Arthur L. Miner
Arthur L. Miner, Mayor

ATTEST:

/s/ Terri Johnson
Terri Johnson, Interim City Secretary

NOTE: Original Audio and Video Recording of this meeting is preserved and maintained by the City Secretary's Office