

**MINUTES
WATAUGA CITY COUNCIL
REGULAR MEETING
MONDAY, MARCH 9, 2020
CITY HALL, COUNCIL CHAMBER, 7105 WHITLEY ROAD
6:30 PM**

CALL TO ORDER

The Regular Meeting of the City Council was called to order at 6:30 p.m.

ROLL CALL

The City Council of the City of Watauga, Texas convened the Regular Meeting of the City Council, with the following members present:

Arthur Miner, Mayor
Mark Taylor, Mayor Pro Tem/ Council Member Place 6
Scott Prescher, Council Member Place 1
Torn Snyder, Council Member Place 2 (absent with notice)
Lovie Downey, Council Member Place 3
Andrew Neal, Council Member Place 4
Juanita King, Council Member Place 5
Kim Irving, Council Member Place 7

and

Andrea Gardner, City Manager/ City Secretary
Raquel Guajardo, Deputy City Secretary
Jeannette Garcia, Planning and Zoning Coordinator
Shawn Fannan, Fire Chief
Sandra Gibson, Director of Finance
Paul Hackleman, Director of Public Works
Marcia Reyna, Director of Human Resources/ Civil Service
Lana Ewell, Library Director
Bradley Fraley, Chief Information Officer/ PIO
George Hyde, City Attorney

INVOCATION

Reverend Sheila Fiorella, Senior Pastor of First United Methodist Church of Watauga gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Miner let the pledge to the flags.

ANNOUNCEMENTS

Council Member Neal announced that the State of the City will be held March 18, 2020 and Paws in the Park will be held on March 21, 2020 in which the Oscar Mayer Wienermobile will be present.

Mayor Pro Tem announced that the Census 2020 deadline is April 1, 2020. More information can be found at [2020census.gov](https://www.census.gov). He also stated that all city events can be found online at www.cowtx.org or city alerts can be activated through Civic Ready.

Mayor Miner emphasized the importance of participating the in the Census and shared that they are also looking for workers.

PRESENTATIONS

1. Presentation of a Proclamation in honor of Local Library Day and the 2019 Texas Municipal Library Director's Association Achievement of Library Excellence Award to the Watauga Public Library.

Mayor Miner presented the award and proclamation to Ms. Lana Ewell and Library staff.

2. Presentation of the Fiscal Year 2019 Audit Results by Whitley Penn, LLC.

Ms. Sandra Gibson provided the background for the audit results and introduced Whitley Penn representative, Ms. Celina Cereceres, CPA, Audit Partner, to provide the 2019 audit results.

Ms. Cereceres reported that there were no difficulties encountered during the audit, no uncorrected misstatements and staff provided all information requested to auditors. Ms. Cereceres also reported the following:

- Net position \$72,999,451.00
- Non-Current Liabilities \$55,374,657.00
- Unrestricted Funds \$5,161,730.00
- Government Revenues \$19 million
- Government expenses \$19.8 million

Ms. Cereceres closed the presentation stating that the City of Watauga is better off than most cities of comparable size.

PUBLIC TESTIMONY

Ms. Jan Hill, 6444 Westridge Drive, commented on the project at Skylark and Stardust intersection and the traffic situation she encounters in the area. She also revealed that during a conversation with Mr. Sampson, resident of 6732 Heaven Way, his retaining wall was hit. However, Ms. Delana Shatley, resident of 5900 Stardust, has not had any issues.

CONSENT AGENDA

Mayor Miner read Consent Agenda items 1 through 9, and included caption items 1 and 2.

Council Member Neal made a motion to accept the consent agenda items as presented. Motion seconded by Council Member Downey. Mayor Miner called for discussion and hearing none, called for the Council to vote. Motion passed 6-0-1-0.

Ayes: 6; Nays: 0; Absent: 1, Abstain: 0

- 1. Discuss and consider action to approve an ordinance amending the Personnel Improvement Plan for Fiscal Years 2020-2024 {CAPTION}**

ORDINANCE 2020-007

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS ADOPTING THE PERSONNEL IMPROVEMENT PLAN FOR FISCAL YEARS 2020-2024 AS REVISED MARCH 9, 2020; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

- 2. Consider action to approve an Ordinance providing for an additional exemption to Section 40-4, Visibility Triangles by adding "signs that serve a governmental purpose and were authorized to be erected by the City, County, State or Federal Government in furtherance of their governmental responsibility or operations." {CAPTION}**

ORDINANCE 2020-010

AN ORDINANCE AMENDING ORDINANCE NUMBER 1635 WHICH ADDRESSES VISIBILITY TRIANGLES; AMENDING CHAPTER 40, SECTION 40-4 FOR ADDRESSING VISIBILITY TRIANGLES; 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

- 3. Consideration of proposed resolution agreeing to meet all matching contribution requirements for the expenditures under the Tarrant County Home Investment Partnerships Program (HOME) for program year 2020**

- 4. Consider action authorizing a business retention project for Capp Smith Park Benches**

- 5. Consider action on the January 14, 2020 Public Meeting to discuss Fire Department Operations, January 28, 2020 Special City Council Meeting Minutes; January 28, 2020 Watauga Comprehensive Plan Update Public Meeting minutes, February 10, 2020 Workshop Meeting Minutes; February 10, 2020 Regular Council Meeting Minutes, and the February 20, 2020 3rd Annual Saints Club Basketball Night event minutes.**

- 6. Discuss and consider action for the Mayor to appoint Assistant Fire Chief Randy Barkley as the City's Emergency Management Coordinator and authorize the completion of the Texas Department of Emergency Management Form TDEM-147 to officially make such appointment**

- 7. Consider action to approve the First Renewal Option for Grounds Maintenance Bid # 19-006 with MG Lawn and Landscapes LLC**

- 8. Consider action to approve the 2nd Renewal Option for Concrete - Various Types Bid # 18-012 to Paisano Redi-Mix**

- 9. Consider action to approve the Monthly Financial Report for the period ending January 31, 2020**

PUBLIC TESTIMONY

Mayor Miner called for Public Testimony. No testimony was given.

ACTION ITEMS

1. Discuss and consider action on approval of the Comprehensive Annual Audit Report for the Period ending September 30, 2019

Mayor Miner called for Public Testimony on this item. No testimony was given.

Ms. Sandra Gibson, Finance Director, provided background of the Comprehensive Annual Audit Report.

Mayor Pro Tem Taylor made a motion to approve the item as presented. Motion seconded by Council Member Irving. Mayor Miner called for discussion, hearing none, called for the Council to vote. Motion passed 6-0-1-0.

Ayes: 6; Nays: 0; Absent: 1, Abstain: 0

2. Discuss and consider action on approving an amendment to the General Election Ordinance previously approved on January 13, 2020 providing for polling locations newly released by Tarrant County {CAPTION}

ORDINANCE 2020-009

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING THE ORDINANCE CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 2, 2020, TO APPROVE THE ELECTION PRECINCTS AND POLLING PLACES FOR SAID ELECTION; 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 Public Testimony on this item. No testimony was given.

Council Member Downey made a motion to approve the item as presented. Motion seconded by Council Member Irving. Mayor Miner called for discussion, hearing none, called for the Council to vote. Motion passed 6-0-1-0.

Ayes: 6; Nays: 0; Absent: 1, Abstain: 0

3. Discuss and consider action to approve the Ordinance Review Schedule for FY 2020

Mayor Miner called for Public Testimony on this item. No testimony was given.

Council Member Neal made a motion to approve the item as presented. Motion seconded by Council Member Downey. Mayor Miner called for discussion.

Council Member Prescher inquired about codification fees and how the process would be handled if the \$50,000 were exceeded. Mr. Hyde provided greater explanation regarding the estimated fees.

With no additional discussion, Mayor Miner called for the Council to vote. Motion passed 6-0-1-0.

Ayes: 6; Nays: 0; Absent: 1, Abstain: 0

4. Discuss and consider action on Chief Executive recommendation of applicant to serve on the Watauga Civil Service Commission

Mayor Miner called for Public Testimony on this item. No testimony was given.

Council Member Prescher made a motion to approve the appointment of Mr. Brian Downey to position 1 for an unexpired term ending June 30, 2021. Motion seconded by Council Member King. Mayor Miner called for discussion.

Council Member Prescher recommended that spouses of sitting council members not be appointed to serve on Boards.

Mayor Miner stated that it was unfair to the spouse to disqualify an individual due to the spousal relation to a sitting Council Member. He further stated that he feels it is an injustice to exclude anyone for that reason.

Mr. Hyde spoke about constitutional right of marriage allowed by first amendment constitutional rights to serve on Boards or Committees.

Mayor Pro Tem Taylor stated that he reviewed qualifications of applicants and feels that Mr. Downey is more than qualified to serve.

Council Member Prescher clarified that he was not disparaging Mr. Downey in any way.

With no further discussion, Mayor Miner called for the Council to vote. Motion passed 6-0-1-0.

Ayes: 6; Nays: 0; Absent: 1, Abstain: 0

5. Discuss and consider action on scheduling the annual Council/Staff Retreat

Mayor Miner called for Public Testimony on this item. No testimony was given.

Mayor Pro Tem Taylor made a motion to adopt the Annual Council Retreat dates for July 31, 2020 through August 2, 2020. Motion seconded by Council Member King. Mayor Miner called for discussion.

City Manager Gardner provided Council with an option to create a Strategic Planning Committee and have two members of the City Council serve on that Committee.

Mayor Pro Tem Taylor stated that the retreat allows for important discussions to occur and that all members should participate and feels the retreat is a better option.

With no further discussion, Mayor Miner called for the Council to vote. Motion passed 5-1-1-0.

Ayes: 5 (Council Member Prescher, Council Member Downey, Council Member Neal, Council Member King and Mayor Pro Tem Taylor)

Nays: 1 Nay (Council Member Irving)

Absent: 1

Abstain: 0

6. Discussion and action on approval to authorize the City of Watauga to enter into a Construction Contract with Reliable Paving, Inc. in the amount of \$1,543,686.70 for the construction of Meadowlark Lane East, Paving, Drainage and Water Improvements from Heather Drive to Pebblebrook Drive pursuant to Bid # 20-001.

Mr. Hackleman provided an overview of the item stating that a complete reconstruction would include water and sewer mains and minor drainage.

Mayor Miner called for Public Testimony on this item. No testimony was given.

Council Member Neal made a motion to accept the item as presented. Motion seconded by Council Member Prescher. Mayor Miner called for discussion, hearing none, called for the Council to vote. Motion passed 6-0-1-0.

Ayes: 6; Nays: 0; Absent: 1, Abstain: 0

7. Discussion and action on approval to authorize the City of Watauga to enter into a Construction Contract with Cole Construction, Inc. for the construction of Capp Smith Park Splash Pad Site Improvements

Mr. Hackleman provided an overview of the item and stated that site preparation and drainage would be done in three (3) phases.

Mayor Miner called for Public Testimony on this item. No testimony was given.

Council Member Neal made a motion to accept the item as presented. Motion seconded by Council Member Irving. Mayor Miner called for discussion.

Council Member Prescher asked if the project figures are on track. Mr. Hackleman responded that the project is slightly under budget.

With no further discussion, Mayor Miner called for the Council to vote. Motion passed 6-0-1-0.

Ayes: 6; Nays: 0; Absent: 1, Abstain: 0

8. Discuss and consider action on a Single Lane Roundabout at the intersection of Whitley Road and Hightower Drive, incorporating this into the Capital Improvement Plan (CIP).

Mayor Miner called for Public Testimony on this item.

Mr. Neal Cooper, 6921 Cheatham Drive, stated that a roundabout may encourage greater use of Hightower and feels a better route would be Denton Highway/377. He further stated that people need to be educated on using roundabouts and to ensure it is designed with the highest pedestrian safety with a speed limit of 20 miles per hour with a hawk system. Mr. Cooper also suggested that Council visit other roundabouts.

Mr. Hackleman gave an overview of the item and played a short video.

Council Member Prescher made a motion to approve the item if the engineer concludes it will work in the intersection. Motion seconded by Mayor Pro Tem Taylor.

Mayor Miner called for discussion.

Mayor Miner asked if the plan would fit into the current footprint. Mr. Hackleman responded that the gas station would give up right-of-way along with another property owner on the southwest corner. This will require the City purchase the right-of-way.

Council Member Prescher stated that he is aware that a lot of people do not like or want the roundabout because they are confusing, but does not believe that is a valid reason.

Mayor Pro Tem Taylor commented that he sees the pros and cons of the project so it will come down to cost for him. Mr. Hackleman stated that if the project is built it will add \$2 million more and includes a 25% contingency.

Council Member Downey asked about the roundabout safety measures to protect pedestrians. Mr. Hackleman explained that there is a protected path for pedestrian use and added that cars drive slower coming into a roundabout.

Council Member Neal stated that he is very much in favor of the roundabout but he has heard from citizens that they do not want this built. He also asked if other enhancements could be done to improve safety. Mr. Hackleman responded that there are other options that could be done as a separate project.

Mr. Hyde stated that the item only adds to the Capital Improvement Plan to give it a priority. Mr. Hackleman clarified that if approved to add to CIP, he would bring the engineering contract back in April or May of 2020 to move forward.

After additional Council and staff discussion, Mayor Miner called for the Council to vote. Motion failed 2-4-1-0.

Ayes: 2 (Council Member Prescher and Mayor Pro Tem Taylor)

Nays: 4 Nays (Council Member Downey, Council Member Neal, Council Member King and Council Member Irving)

Absent: 1

Abstain: 0

REPORTS

No additional reports were presented.

ITEMS FOR FUTURE CITY COUNCIL MEETINGS

Items were not presented.

EXECUTIVE SESSION / MEETING

The meeting adjourned into Executive Session at 8:10 p.m.

The City Council will convene in executive session pursuant to (Texas Open Meetings Act), Chapter 551 of the Texas Government Code, Section 551.074 Personnel Matters and Section 551.071 Consultation with Attorney, which allow the following:

1. To deliberate upon the annual performance evaluation of Andrea Gardner, City Manager and to seek the advice of its attorney regarding contract terms

RECONVENE INTO REGULAR SESSION; DISCUSS AND TAKE ACTION, IF NECESSARY, ON ANY MATTER CONSIDERED IN EXECUTIVE SESSION

The meeting reconvened into open session at 9:12 p.m.

There was no action taken as a result of the discussion held in closed session.

ADJOURNMENT

The meeting adjourned at 9:12 p.m.

APPROVED:

this 13TH day of APRIL, 2020

SIGNED:

this 13TH day of MAY, 2020

APPROVED:

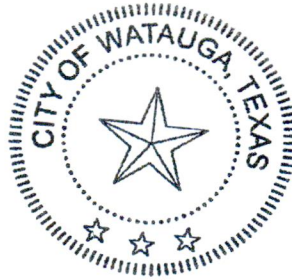
Arthur L. Miner /s/

Arthur L. Miner, Mayor

ATTEST:

Andrea Gardner /s/

Andrea Gardner, City Secretary



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