

**MINUTES
WATAUGA CITY COUNCIL
SPECIAL MEETING
MONDAY, APRIL 20, 2020
HELD BY VIDEOCONFERENCE
5:45 PM**

CALL TO ORDER

The Videoconference Meeting of the City Council was called to order at 6:00 p.m.

ROLL CALL

The City Council of the City of Watauga, Texas convened the Special Meeting of the City Council by videoconference, 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
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
Sandra Gibson, Director of Finance
Bradley Fraley, Chief Information Officer/ PIO
George Hyde, City Attorney

PUBLIC TESTIMONY

Mayor Miner read written testimony into the record that was received from Jan Hill, 6444 Westridge Drive, Watauga, TX 76148.

The written comments received from Ms. Hill were as follows:

City Manager Andrea Gardner stated in the April 13, 2020 meeting that complaints were made regarding recording employees then altering the recordings. I would like to know, without naming names, who were the allegations made against?

Former or Current Council/Board Members recording employees or recording each other (please indicate former or current)

Former or Current City Employees recording other employees (please indicate former or current)
Citizens recording employees

I do not seek any discussion on this question, only a statement of facts. Thank you.

Mayor Miner requested Ms. Gardner to respond. Ms. Gardner provided a factual response that included the passage of a Resolution in March 2019 that prohibited City employees from recording conversations with co-workers or supervisors without obtaining approval. Ms. Gardner, stated it had been reported to her that members of the current council and past council, along with citizens were reported to have recorded conversations with City employees.

Mayor Miner called upon Mr. Edward Kosary at 6209 Brookside Drive, Watauga, TX 76148 to provided public testimony per his written request to speak.

Mr. Kosary thanked the Mayor and City Manager Gardner and most of the Council for their leadership. He stated one council member has caused hardship for the Mayor, council members and City Manager. It was thought that council members were the problem; however, the council members changed over, and the lone council member is unable to get along with the new members. He mentioned the Facebook posts and another page that was opened by the lone council member. He stated the council member limits access to that page. He requested the council member's resignation immediately and stated if he doesn't resign, he seeks the Council to discipline him for his actions.

Council Member Prescher stated in response that he hasn't violated any rules and the other is a purely personal page.

City Attorney, George Hyde, reminded the Council that only a statement of fact can be provided.

Council Member, Lovie Downey, yielded her request to speak.

The Mayor called upon Diane Kissel at 6524 Brookdale Drive, Watauga, TX 76148 to provide public testimony. Ms. Kissel requested curbside distribution service for the Watauga Library. She further requested the City Council consider curbside distribution.

The Mayor called upon Mary Stormer at 6545 Old Mill Circle, Watauga, TX 76148 to provide public testimony. Ms. Stormer stated Judge Glen Whitley has been doing extra explanations. He adds extra words such as essential and enforcement. She wishes we could add his comments. She is concerned that we only have 10% of the people tested. She emphasized the need to have people in Watauga nursing homes tested. She requested the public be alerted to who tested positive.

George Hyde provided a brief statement of fact regarding the requirement to hold that information as confidential healthcare information and is handled through a quarantine situation.

Mayor Miner provided information regarding the emergency management team and the fact that team meets three times a week with the County.

ACTION ITEMS

1. Discuss and consider the adoption of an Ordinance by the City Council of the City of Watauga, Texas, temporarily suspending enforcement of utility late fees on past due amounts and disconnect actions under Sections 42-85, 42-88, and 12-42(e)-(f), Watauga Code of Ordinances; providing for severability; providing an effective date

Sandra Gibson, CGFO, CGFM

Andrea Gardner, City Manager

The Mayor read public testimony into the record as provided by Mr. Paul Hopkins at 7509 Meadowbrook Drive, Watauga, TX 76148.

Hello again. Looking at the agenda for tonight. I'll be watching the meeting but not speaking. Action Item 1. This is about suspending utility late fees and disconnects during the COVID-19 pandemic. I support this item. People need the help right now. We are being asked to "Stay home. Stay safe". That would be difficult to impossible without basic utilities. For some people who have had their work hours reduced, been laid off, or their jobs are just plain gone right now, they may honestly not have the means to pay a water bill. "Water is life" is another slogan, and it's true. Thank you for this proposal.

Mayor Miner confirmed with Mr. Edward Kosary that he only desired to speak during public testimony and not on each of the agenda items.

Council Member Downey made a motion to approve the item as presented.

Council Member Irving seconded the motion.

Council Member Prescher stated as the item is worded now, there is no end date.

City Manager Gardner explained the planned process was for staff to bring the matter back to the Council to repeal once the crisis ended.

The Mayor called for a vote and by a show of right hands, the motion carried 7-0-0.

2. Discuss and consider action on the Mayoral nominations for Council Liaisons appointments to the City Boards and Commissions

Mark Taylor, Mayor Pro Tem

Arthur L. Miner, Mayor

Mayor Miner called for public testimony from Mary Stormer. Ms. Stormer declined to speak.

Mayor Pro Tem Taylor made a motion to remove Council Member Prescher from his liaison positions on the Library Board and Youth Advisory Council. Mr. Taylor read Section 3.09(b) from the City Charter and the Council Rules of Procedure as approved on December 9, 2019. He further stated the Council shall demonstrate civility to each other. He stated Section 4.05(f) of the Council Rules of Procedure reads members of the Council shall be prohibited from using profane language and that Mr. Prescher has repeatedly violated the Rules.

Council Member Kim Irving seconded the motion. She further stated she appreciates Council Member Taylor for bringing those matters to the Council and for making the public aware of the matters. She stated she has witnessed that type of behavior.

Council Member Prescher stated he understands that members are upset about his posts to social media and that he had not violated any rules. He feels it will be less for him to have to worry about. He spear-headed the Youth Advisory Council and spent his own money for gas to take the youth to the conference. He stated he feels that this is due to pure hatred for him.

Mayor Pro Tem Taylor stated that this motion was predicated based on his behavior during a meeting when he turned to me and said "expletive" you. Last week he stated the Council is the most useless Council. He feels Mr. Prescher needs to be called out for his actions during several meetings.

Council Member Snyder stated the Texas Court Clerk article on April 15, 2020 indicated that Mr. Prescher reached out to them. Mr. Snyder was seeking clarification on which is correct since Mr. Prescher previously stated different.

Council Member Prescher stated he didn't contact the Texas Court Clerk.

Council Member Downey stated she concurs with Mayor Pro Tem Taylor. The two of them disagreed before but she feels him calling the Council useless was too much. She stated her son serves on the Youth Advisory Council and is offended by him calling his Mother useless. He also called her a liar and he interrupts Kim Irving, Mayor Pro Tem and herself regularly and it is disrespectful. She also stated she doesn't care what Scott posts on social media.

Mayor Miner stated he was offended by Mr. Prescher's comment.

Council Member Prescher stated the conversation between him and Mayor Pro Tem Taylor isn't being characterized accurately. He stated he didn't contact the paper but the paper contacted him. He further stated his comments about Council Member Downey were because she didn't read the entire email included in the April 13 meeting packet.

Mayor Pro Tem Taylor stated Scott's comments to him when he used an expletive were considered a verbal assault and that it wasn't done during an executive session as there were members of the public present.

Mr. Prescher requested the City Attorney provide a ruling on whether he would be allowed to vote on the matter since it involves him.

George Hyde stated the Council is voiding the Mayoral appointment and the Mayor will then need to recommend new appointment nominations. He ruled Mr. Prescher is allowed to vote.

Mayor Miner read the motion as stated by Mayor Pro Tem Taylor and called for a vote. The motion carried 6-1-0, with Council Member Prescher voting against the motion.

3. Discuss and provide direction to the Emergency Management Team regarding the closure of the parking lots to vehicular traffic at the various City parks

Arthur L. Miner, Mayor

Andrea Gardner, City Manager

Mayor Miner called for public testimony from Mary Stormer, but Ms. Stormer declined to speak.

Council Member Snyder made a motion to approve as presented. Council Member Downey seconded the motion.

Mayor Miner stated the parking lots were reopened at 6:00 am on April 20, 2020. He stated the parking lot was closed as a public safety measure. He commented the City requested park patrons not gather at vehicles and to follow the one way direction of the trail at the park. The skate park remains closed, as well as, other amenities, like restrooms and playground equipment. The motion carried 7-0-0.

4. An Ordinance of the City of Watauga, Texas, approving an amendment to the Economic Development Capital Projects Fund budget for the Fiscal Year beginning October 1, 2019 and ending September 30, 2020; approving supplemental appropriations; providing for repeal; providing for severability and providing an effective date

Sandra Gibson, CGFO, CGFM
Andrea Gardner, City Manager

Mayor Miner called for public testimony from Mary Stormer, but Ms. Stormer declined to comment.

Ms. Gardner provided an overview of the item.

Council Member Downey made a motion to accept the item as presented. Council Member Irving seconded the motion. Hearing no comments from the Council, the Mayor called for a vote. The vote passed 7-0-0.

REPORTS

1. Provide an update on the Attorney General Ruling related to Section 11.35, Tax Code, providing a property tax exemption for certain property during a declared disaster {(Tax Code 11.35(g)}

George Hyde, City Attorney
Andrea Gardner, City Manager

City Attorney, George Hyde, stated that the Attorney General issued an opinion at the request of a Legislative Committee Chair and the 86th Legislature adopted Section 11.35(g) of the Tax Code in response to Hurricane Harvey.

Because COVID-19 had a disaster declaration issued by the Governor, the question posed to the Attorney General was, would the losses experienced by businesses due to COVID-19 also halt or trigger Section 11-35(g) of the Tax Code. The Attorney General rules it doesn't apply in a financial crisis.

There were no questions from the City Council.

ADJOURNMENT

Mayor Miner adjourned the meeting at 7:05 pm.

APPROVED:

this 11TH day of May, 2020

SIGNED:

this 13TH day of May, 2020

APPROVED:

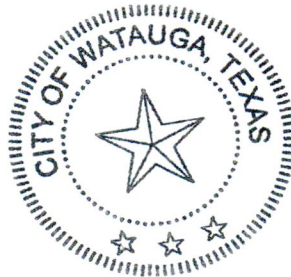
Arthur L. Miner /s/

Arthur L. Miner, Mayor

ATTEST:

Andrea Gardner /s/

Andrea Gardner, City Secretary



Print**Special City Council - April 20, 2020 Comment Registration - Submission #25490**

Date Submitted: 4/17/2020

Members of the public are invited and encouraged to attend all public meetings that are not closed to the public in accordance with the Texas Open Meetings Act. Public input is encouraged during Public Testimony, Public Hearings or Action sections of a meeting agenda. As authorized by the Executive Orders issued by the Texas Governor; the City is making special provisions to allow the public to comment at this meeting. The meeting will be hosted using WEBEX. "Live" participation is limited. A person desiring to comment "live," during the meeting must register in advance using this form. Once registered, citizens will be provided with the meeting link information on a first come, first served basis until all slots have been filled.

Citizens may also provide their comments in writing. ALL COMMENTS MUST BE RECEIVED NO LATER THAN 1 HOUR PRIOR TO THE MEETING. All written comments must comply with applicable decorum rules for comments made during a public meeting of the Watauga City Council to be read into the record. Up to three minutes shall be allotted for each written comment to be read into the record of the meeting. All timely comments will be read into the record of the meeting at the appropriate time during the meeting.

While reasonable efforts will be taken to gather comments received within the hour prior to the meeting or received during the meeting, all such comments are considered untimely and may not be recognized and read during the meeting.

First Name*

Jan

Last Name*

Hill

Address1*

6444 Westridge Dr

Address2**City***

Watauga

State*

TX

Zip*

76148

Email***Phone**

8178964709

I wish to comment during (check all that apply):*

- ☒ Public Testimony
- ☐ Action Item 1
- ☐ Action Item 2
- ☐ Action Item 3
- ☐ Action Item 4

Select how you wish to participate:

If you select WEBEX, a meeting invite will be sent to the email address you provide. You will need to have internet, a device that can connect with audio and/or a phone. You will be responsible for connecting to the meeting and being available when the section you are requesting to speak during is current.

Select an option:*

- ☐ Connecting to the meeting using WEBEX
- ☒ Having my comments read into the record

Comments - Indicate which section of the meeting your comments refer to:

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Citizens recording employees

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Andrea Gardner

From: noreply@civicplus.com
Sent: Monday, April 20, 2020 4:33 PM
To: Andrea Gardner
Subject: Online Form Submittal: Contact Us - City Manager

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Contact Us - City Manager

Contact Information

Please complete the online form below to submit your questions / comments.

Name: Paul Hopkins

Address: 7509 Meadowbrook Dr.

City: Watauga

State: TX

Zip Code: 76148

Phone Number: 6825587360

Email Address: [REDACTED]

Questions or Comments

Comments

Hello again.

Looking at the agenda for tonight. I'll be watching the meeting but not speaking.

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Thanks,
Paul Hopkins
7509 Meadowbrook Dr
Watauga Tx 76148
682-558-7360


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