

**MINUTES
WATAUGA CITY COUNCIL
REGULAR MEETING
VIDEOCONFERENCE
MONDAY, JANUARY 25, 2021
6:30 PM**

CALL TO ORDER

Mayor Miner called the meeting 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 by videoconference:

Mayor, Arthur Miner

Mayor Pro Tem/Council Member Place 2, Tom Snyder

Council Member Place 1, Danielle Tucker (Absent without notice/oath not taken)

Council Member Place 3, Lovie Downey

Council Member Place 4, Andrew Neal

Council Member Place 5, Juanita King

Council Member Place 6, Mark Taylor

Council Member Place 7, Jan Hill

and

Andrea Gardner, City Manager/ City Secretary

Sandra Gibson, Director of Finance

Deby Woodard, Assistant Finance Director

Paul Hackleman, Director of Public Works

Randy Richards, Building Official

Lana Ewell, Library Director

Shawn Fannan, Fire Chief

George Hyde, City Attorney

with

Curtis Young, Sage Group, Inc.

David Washington, D.W. Commercial, LLC

ANNOUNCEMENTS

Council Member Taylor read the Press Release announcing Ms. Jennifer Dorsett, City of Watauga Court Administrator, received Certification of Court Management; Ms. Andrea Gardner received the Certified Municipal Clerk Designation and will also receive Texas Registered Clerk recognition on January 28, 2021.

Mayor Miner stated that the construction fencing has been taken down around the Splash Pad and noticed citizens enjoying the facilities. He also announced that the Watauga Fire Department received an Award for Excellence for 2020. Mayor Miner stated that meetings will continue virtually for the month of February 2021.

PUBLIC COMMENT

Mayor Miner called for Public Comment. Request to Speak forms were not received and there were no participants online requesting to speak.

PUBLIC TESTIMONY FOR ACTION ITEMS

Mayor Miner read the following Public Testimony submissions (attached to meeting minutes) into the record:

- Ms. Sharon Gehle of 7725 Partridge Drive
- Ms. Terri Arend of 6052 Hillview Drive

CONSENT AGENDA

Mayor Miner read the following consent agenda items:

1. **Consider action on the meeting minutes of the January 11, 2021 Council Workshop and January 11, 2021 Regular Council Meeting**
2. **Consideration action to approve the continuation of a Massage Establishment Permit for Hightower Salons and YY Foot Spa for Calendar Year 2021 as required by Chapter 22, Article VI, Division 2, Section 22-252 of the City of Watauga Code of Ordinances.**
3. **Agreement between the City of Watauga and Birdville Independent School District related to the School Resource Officer Program.**
4. **Consideration and action for the purchase of three 2021 Chevy Tahoe PPV's from Lake Country Chevrolet**
5. **Consider action by the City Council of the City of Watauga, Texas declaring three Chevy Tahoe PPV's as surplus property belonging to the City of Watauga; and authorizing disposal of the surplus property**
6. **Consideration and action for the purchase of two 2021 Ford F-150 Trucks from Sam Pack's Five Star Ford**
7. **Consider action by the City Council of the City of Watauga, Texas declaring two F-150 Trucks as surplus property belonging to the City of Watauga; and authorizing disposal of the surplus property**

Mayor Pro Tem Snyder made a motion to accept the item as presented. Motion seconded by Council Member Downey. Mayor Miner called for the Council to vote by show of right hand. Motion passed 6-0-0-1.

Ayes: Snyder, Downey, Neal, King, Taylor, Hill

Nays: None

Abstain: None

Absent: Tucker

ACTION ITEMS

1. Discuss and consider action on an ordinance ordering the General Election for the City of Watauga City Council places of Mayor, Place 3, Place 4 and Place 5 for May 1, 2021

Council Member Downey made a motion to accept the item as presented. Motion seconded by Council Member King. As there was no additional discussion, Mayor Miner called for the Council to vote by show of right hand. Motion passed 6-0-0-1.

Ayes: Snyder, Downey, Neal, King, Taylor, Hill
Nays: None
Abstain: None
Absent: Tucker

2. Discuss and consider action on an ordinance ordering the Special Election for the purposes of reauthorizing the Watauga Crime Control & Prevention sales tax of 1/2 of one percent for May 1, 2021

Council Member Downey made a motion to accept the item as presented. Motion seconded by Council Member Neal. As there was no additional discussion, Mayor Miner called for the Council to vote by show of right hand. Motion passed 6-0-0-1.

Ayes: Snyder, Downey, Neal, King, Taylor, Hill
Nays: None
Abstain: None
Absent: Tucker

3. Discuss and consider action to approve an ordinance calling a Special Election for the purposes of allocating 1/4 of a cent of sales and use taxes for general revenue purposes to be held on May 1, 2021

Mayor Pro Tem Snyder made a motion to accept the item as presented. Motion seconded by Council Member Hill.

Mayor Miner called for discussion. Council Member Taylor stated that placement within general funds allows greater flexibility. Mayor Miner stated that by law, this cannot be brought back for allocation to WEDC or street maintenance.

As there was no additional discussion, Mayor Miner called for the Council to vote by show of right hand. Motion passed 6-0-0-1.

Ayes: Snyder, Downey, Neal, King, Taylor, Hill
Nays: None
Abstain: None
Absent: Tucker

4. Planning and Zoning Case Z. 20-04: Discuss and consider action on an ordinance, by the City Council of the City of Watauga, Texas changing the zoning classification of Lots 1, 2 and 3, Block 1, in the Huffman Addition, addressed as 5900 Bursey Road, from single family (SF-6) to planned

development (PD) “Bursey Road Townhomes”; describing said land; regulating and restricting the development and use of property within such planned development (PD) district; amending the Zoning District Map of the City; providing for repeal; providing for severability; providing a penalty; providing an effective date; and containing other provisions relating to the subject. This ordinance is to be considered with a recommendation of approval by the Planning and Zoning Commission. The subject property is currently zoned (SF-6) Single Family and is located on the south side of Bursey Road, east of Whitley Road and west of Indian Springs Road. The Planned Development (PD) proposes the property be subdivided into 61 lots for use to construct single family residential townhomes. Clarence Huffman, owner. David Washington Jr., applicant/agent.

Mr. Hackleman gave an overview of the item to Council.

Mr. Young also addressed the Council regarding dark skies, hurricane straps, no parking signage, delivery spots designated, do not enter/exit signs that are located at each end of the alley. Mr. Young also presented a site plan that included all changes reviewed.

Section 3, Item T – prefer it be removed. Board on board fence on metal poles.

Council Member Taylor stated that front fencing works perfectly and confirmed that gate will not have latch. He also liked the gravel path idea to assist with drainage. Council Member Taylor stated that it will be a great enhancement for the City of Watauga and will bring in more revenue; and if left undeveloped, could have a future impact to property taxes. He wished the developer luck with the development.

Council Member Downey asked for confirmation fence would be wood and maintained by the HOA. Mr. Young confirmed that both statements were correct. Council Member Downey also expressed appreciation to the developer for listening to and considering Council and Citizen comments. She further stated that she feels this development will be a good change for Watauga and asked for the community to embrace progress.

Council Member Hill stated that she liked making the alley an “exit” only option.

Council Member Neal inquired about LEED certification. Mr. Young responded that it is not common to develop LEED residential. He also stated that the intent is to build energy efficient housing. Mr. Young also commented that LEED is primarily used for commercial construction and does not feel it is appropriate for this development.

Council Member Neal followed up if the development would have energy star rating. Mr. Young restated they would be doing a host of efficient measures. Mr. Richards stated that the builder will have to comply with energy code requirements to ensure efficiently.

Council Member Neal stated that the proposed style of fencing has a cleaner look.

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

Mr. Hyde asked if the ordinance presented is consistent with the developer presentation. Mr. Hackleman stated the agreement to modify ordinance is different than item attached. Changed additional regulations to include:

- 3.6 (n) – fencing required along rear only.
- 3.6 (t) – strike/remove completely.
- 3.6 (q) – remove requirement of “batten” style (overlapping vertical panels)

Mr. Hyde requested Mayor Miner to obtain Council consensus of what to include.

Mayor Pro Tem Snyder agreed to (3) modifications – 3.6(n) requiring fencing along rear only; 3.6(t) strike completely; 3.6(q) remove requirement of batten style (overlapping vertical panels).

Council Member King agreed to provide second on modifications.

Council Member Neal asked for motion to clarify if the motion removes the word “batten”.

Council Member Neal stated that he does not like removing the word “batten”.

Council Member Taylor wanted to ensure modification to 3.6 (n) would keep fence along Bursey. He was one to request sidewalk from front to back.

Mayor Pro Tem Snyder asked if batten should remain or be removed.

Mr. Hackleman stated batten and overlapping panels are the same.

Mr. Hyde stated that property maintenance code and homeowner’s association would require the fence to be properly maintained.

Mr. Hackleman pointed out that shrubbery will be along the fence.

Council Member Taylor stated that he understands Council Member Neal’s concern and wants to ensure the HOA would be responsible for fence maintenance. Mr. Hackleman confirmed HOA will be responsible for fence maintenance. He also stated that batten fence will show wear over time too.

Mayor Miner restated motion as approved as presented except with changes to 3.6 (n), 3.6 (t) and 3.6 (q).

Council Member Neal asked Mayor Pro Tem Snyder to reconsider removing change of 3.6 (q). Mayor Pro Tem Snyder responded that he wanted to leave as he stated by motion as he amended, and Council Member King seconded.

As there was no additional discussion, Mayor Miner called for the Council to vote by show of right hand. Motion passed 6-0-0-1.

Ayes: Snyder, Downey, Neal, King, Taylor, Hill
Nays: None
Abstain: None
Absent: Tucker

5. Discuss and consider action to appoint, reappoint or remove members from City boards, committees or commissions

Council Member Taylor stated that the City has a process to appoint and remove board members but does not allow the Mayor to make recommendations for removal.

Council Member Taylor made a motion to authorize the Mayor to make recommendation for appointment, removal or reappoint to council.

Mr. Hyde stated this needed to be done by resolution as it is a policy change and requested clarification so that the resolution can be prepared.

Clarification was provided to allow a council member to bring forth a request to remove a board member only after the Mayor had the opportunity to counsel the board member prior to recommending removal.

Staff to draft resolution.

Council Member Taylor withdrew motion and directed staff to prepare modifications and present draft to Council.

6. Discuss and provide direction to the City Manager and City Attorney regarding a requested update to the City's Zoning Ordinance, Section 115-85 (Permitted Use Table) as part of the City's Ordinance Review and Update process

Ms. Gardner stated proposed amendments are scheduled to be completed and presented during the Planning & Zoning meeting scheduled May 24, 2021.

Mr. Hyde added that staff does not currently have a text amendment process available to them and the revised ordinance will include such a process.

Council Member Taylor stated that he was impressed with the developer's presentation. He also commented that he wants to leave the ordinance as is and allow staff to bring recommended changes in May 2021; and if Council decides to include at that time, they can.

Council Member Hill stated that RTMU approved recently for that area and does not allow for that type of development.

Mr. Hackleman commented regarding RTMU vision. He further commented regarding used car lots locating in a city and previous Council removed to allow for highest and best use.

Council Member Neal stated that he does not see used car lots fitting into future of Watauga.

Council Member Downey commented that she is not a big fan of used car lots and does not see a future use for the City of Watauga.

Council Member King agreed with comments also stating that she is not a fan of used car lots.

Mayor Pro Tem Snyder	Against
Council Member Downey	Against
Council Member Neal	Against
Council Member King	Against
Council Member Taylor	Against
Council Member Hill	Against

Staff emphasized the draft ordinance changes will include a text amendment process.

Council Member Neal expressed appreciation.

7. Discuss and consider action to initiate forfeiture proceedings at the next regularly scheduled meeting of the City Council to declare City Council Place 1 vacant for failure to attend three consecutive regularly scheduled meetings of the City Council without being excused, in accordance with Section 3.05 of the Watauga City Charter

Mr. Hyde provided an overview of the item stating that Place 1 did not accept the position and per the Charter is only allowed to miss three (3) regular council meetings. Notice will be provided of the hearing to be held on February 8, 2021.

Mayor Miner stated that he, Mr. Hyde, and Ms. Gardner have communicated with Ms. Tucker about requirements.

Mayor Pro Tem Snyder wanted to confirm because she claims to have resigned that office. He understands that the State was contacted, and the City was told that she can not resign, but must decline office, and that form to decline was provided to her.

Mr. Hyde confirmed that Mayor Pro Tem Snyder was correct.

Council Member Downey stated Ms. Tucker was communicated with by staff.

Mayor Miner commented that it has not been easy, and the law must be followed.

Mayor Pro Tem Snyder made a motion to approve the item. Motion seconded by Council Member Downey. As there was no additional discussion, Mayor Miner called for the Council to vote by show of right hand. Motion passed 6-0-0-1.

Ayes: Snyder, Downey, Neal, King, Taylor, Hill

Nays: None

Abstain: None

Absent: Tucker

ITEMS FOR FUTURE CITY COUNCIL MEETINGS

Council did not present any items for future council meetings.

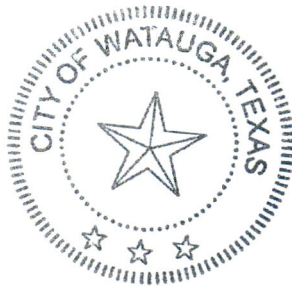
ADJOURNMENT

Mayor Miner adjourned the meeting at 8:12 p.m. *Ms. Gardner notated the time of adjournment at 8:08 p.m.*

APPROVED:

SIGNED:

APPROVED:



this 8TH day of FEBRUARY, 2021

this 11TH day of FEBRUARY, 2021

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

Print**City Council Meeting Registration - January 25, 2021 - Submission #28953**

Date Submitted: 1/25/2021

This notice is posted pursuant to the Texas Open Meetings Act. Notice is hereby given that a Regular City Council Meeting of the City of Watauga, Texas will be held at which time the following subjects will be discussed and may be acted upon.

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 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*

Sharon

Last Name*

Gehle

Address1*

7725 Partridge Dr

Address2**City***

Watauga

State*

Texas

Zip*

76148

Email*

Phone

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

- ☐ Public Comment
- ☐ Action Item 1
- ☐ Action Item 2
- ☐ Action Item 3
- ☒ Action Item 4
- ☐ Action Item 5
- ☐ Action Item 7

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:

Proposed Bursey Road Townhomes (Action Item #4)

I am writing as a citizen to request that you DENY the future land use map and rezoning change request for the proposed Bursey Road Townhomes due to the overwhelming number of objections from adjoining property owners and other citizens of the City of Watauga. The 12.59 dwelling units proposed are in line with apartment density and do not fit well with the overall single family residential in the neighborhood. This is NOT a medium density project. There are many concerns with this proposed project, including, but not limited to: 1) safety issues due to traffic 2) slow townhome absorption, 3) undesirable units in 5-6 cluster townhomes, which mean 3-4 units out of every cluster will have SUBSTANDARD lighting because of no side windows. 4) Too many exceptions made from zoning ordinance: smaller, narrower lots, no back yards; attached housing; compromises on lot size, width and depth; garage size is inadequate (20 feet wide by 20 feet deep is recommended); and no space for storage. There are many items of functional obsolescence which will be critical to the long term of success for this project.

In summary, please DENY the future land use map and rezoning change request for the proposed Bursey Road Townhomes as presented. Thank you for your consideration.

Print**City Council Meeting Registration - January 25, 2021 - Submission #28956**

Date Submitted: 1/25/2021

This notice is posted pursuant to the Texas Open Meetings Act. Notice is hereby given that a Regular City Council Meeting of the City of Watauga, Texas will be held at which time the following subjects will be discussed and may be acted upon.

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 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*

Terri

Last Name*

Arend

Address1*

6052 Hillview Dr.

Address2**City***

Watauga

State*

TX

Zip*

76148

Email*

Phone

8173197565

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

- ☐ Public Comment
- ☐ Action Item 1
- ☐ Action Item 2
- ☐ Action Item 3
- ☒ Action Item 4
- ☐ Action Item 5
- ☐ Action Item 7

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:

My comments are in regard to Action Item #4, Bursey Road Townhomes.

I have a few points for consideration regarding the rezoning for Bursey Road Townhomes.

1. At the 12/16/2020 P&Z meeting, a motion was made and seconded to approve the rezoning with amendments. One of the amendments was for a masonry fence instead of a 6' or 8' wood fence. This was not mentioned in the developer's presentation to the City Council on 11 January 2021, nor was it mentioned by any City Council members. Only the wood fence was presented.
2. Access to Indian Springs Middle School and KCAL has been mentioned several times during the P&Z meeting and at the CC meetings. This is actually a moot point since homes south of Bursey Road are no longer zoned for ISMS attendance. Also, KCAL is not specifically "zoned" for our area. KCAL has students from all over KISD who attend only one or two classes. A large portion of these attendees are actually bused in from their respective high school.
3. Has an actual traffic study been done to see how the addition of 120+ vehicles will affect traffic w/the entrances/exits to the townhomes being approximately 40 feet, or less, from the intersections of Whitley Rd/Bursey Rd and Indian Springs/Bursey Rd? I see significant traffic problems for all three roadways. The turning radius for the townhome traffic, as well as the Hillview/Hilltop area, has the potential for significant backups and accidents at these points.

Thank you for your time and consideration.