

**MINUTES
WATAUGA CITY COUNCIL
REGULAR MEETING
CITY HALL COUNCIL CHAMBER
7105 WHITLEY ROAD, WATAUGA, TX
MONDAY, JUNE 28, 2021
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 meeting convened with the following members present:

Arthur L. Miner
Andrew Neal
Pat Shelbourne
Tom Snyder
Lovie Downey
Juanita King
Mark Taylor
Jan Hill

Mayor
Mayor Pro Tem/Council Member Place 4
Council Member Place 1
Council Member Place 2
Council Member Place 3 (Absent with Notice)
Council Member Place 5
Council Member Place 6
Council Member Place 7

and

Andrea Gardner
Raquel Guajardo
Shawn Fannan
Paul Hackleman
Randy Richards
Marcia Reyna
Deby Woodard
Bradley Fraley
Lana Ewell
George Hyde

City Manager/City Secretary
Deputy City Secretary
Fire Chief/Assistant City Manager
Director of Public Works
Building Official
Director of Human Resources & Civil Service
Assistant Director of Finance
Chief Information Officer
Library Director
City Attorney

and

Katie Bowman
Conan Mathson
Darrell Brown
Sarah Upchurch

BISD Associate Superintendent of Finance
BISD Officer of Design & Construction
BISD Superintendent
BISD Watauga Elementary Principal

INVOCATION

Pastor J.J. Stevens of Victory Tabernacle Holiness Church provided the invocation.

PLEDGE OF ALLEGIANCE

Mayor Miner led the pledge to the flags.

ANNOUNCEMENTS

Mayor Pro Tem Neal announced the NE Tarrant Chamber will host a 4th of July fireworks event at BISD Plaza at 9:30 p.m.; Local Option petition information can be requested from City Manager's office; and the Outdoor Library Book Club is scheduled July 1 at 6:30 p.m.

Council Member Taylor announced the Citizen Police Academy will run August 4 - September 29. Additional information and application can be found on the city's website or by contacting Officer Steve Gochal.

Mayor Miner offered a reminder that if the required Cyber Security training had not yet been completed, access to city accounts have been suspended until completion of training. Mayor Miner also announced that if interested in re-appointment to boards, committees and commissions, a new application must be submitted. He also stated that additional information regarding the NE Tarrant Chamber 4th of July event can be located at www.netarrant.org.

PRESENTATIONS

Ms. Gardner requested that the order of the presentation items be changed to accommodate the BISD presentation.

1. ~~2.~~ Presentation by BISD regarding possible amendment to Section 423 (Storm Shelters) of the 2018 International Building Code; provide Council direction to the City Manager

Mr. Hackleman introduced the item to Council stating that a temporary CO was requested by BISD to allow time to work out issues related to storm shelter requirements. He also stated BISD staff was in attendance to provide a presentation and seek Council direction. (*Presentation is attached*)

Chief Fannan stated that the City's stance defaults to the building code and the minimum guidelines have not changed.

Mayor Miner asked Council to provide direction:

Place 1, Council Member Shelbourne	More information needed
Place 2, Council Member Snyder	Not for it currently
Place 4, Council Member/Mayor Pro Tem Neal	Provide exemption
Place 5, Council Member King	No
Place 6, Council Member Taylor	More information needed
Place 7, Council Member Hill	Tentative no, pending more information

Mayor Miner stated that more time is needed to evaluate. Ms. Gardner asked Council to send questions to her to so that she can facilitate with BISD.

2. ~~4.~~ Presentation of Service Awards for City of Watauga Employees celebrating a milestone anniversary during the month of June 2021

Ms. Gardner recognized Ms. Vicki Seay for 10 years of service and Ms. Connie McCrary for 5 years of service.

PUBLIC COMMENT

Requests for public comment were not received.

PUBLIC TESTIMONY FOR ACTION ITEMS

Requests for public testimony were not received.

CONSENT AGENDA

Mayor Miner read the following consent agenda items:

1. **Consider action by the City Council of the City of Watauga, Texas declaring four (4) pieces of equipment as surplus property belonging to the City of Watauga; and authorizing disposal of the surplus property; and purchase of five (5) pieces of equipment**
2. **Consider action to adopt an ordinance of the City of Watauga, Texas amending chapter 40 of the Watauga Code of Ordinances; providing rules and regulations for speed limits within school zones or certain roadways; providing for savings; providing for repeal; providing for severability; providing a penalty; providing an effective date.**
3. **Consider action to approve the Monthly Financial Report for the period ending May 31, 2021**
4. **Consider action to approve the meeting minutes of the June 14, 2021 Council Workshop; June 14, 2021 Regular City Council Meeting; and June 18, 2021 Juneteenth Proclamation.**
5. **Consider action to approve the Library Advisory Board recommendation to change the regular Library Board Meeting Schedule**
6. **Consider action to adopt a Resolution by the City Council of the City of Watauga, Texas approving a Professional Services Agreement between the City of Watauga, Texas and Burgess & Niple, Inc. for construction on the Hightower Rain Garden Project; providing for repeal; providing for severability; providing an effective date**
7. **Consider action to approve an Ordinance of the City of Watauga, Texas amending Chapter 12 of the City of Watauga Code of Ordinances repealing Subsections 12-2(c) and (d); amending Subsection 12-2(j), and adding Subsection 12-2(s); providing for repeal; providing for severability; and providing an effective date**
8. **Consider action to direct legal counsel to dissolve the Watauga Improving Neighborhoods Committee by repealing City of Watauga Code of Ordinances Sections 2-121 through 2-127, specific to the WIN Committee in a future ordinance revising Section 2**

Council Member Hill made a motion to approve all items on the consent agenda. Motion seconded by Mayor Pro Tem Neal. As there was no discussion, Mayor Miner called for the Council to vote. Motion carried 6-0-0-1.

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

ACTION ITEMS

1. Discuss and provide direction to the City Manager on the purchase and operation of a van for the recreation and senior center participants

Ms. Gardner presented the item to Council which included two options for consideration: purchase a 2019 handicap accessible van for \$53,000 or continue to work with Smiley Transportation to provide them the funding to purchase, maintain and insure a vehicle, which includes staff and exclusive use for the recreation center.

The consensus of Council was to move forward with the Smiley Transportation option. Mr. Hyde commented that Smiley Transportation will have contractual requirements under the WEDC.

2. Discuss and consider action on a Resolution of the City Council of the City of Watauga, Texas, approving Mayoral liaison appointments to City boards, commissions, and committees pursuant to Council Rules of Procedures Section 5.04; providing for repeal; providing for a severability clause; and providing for an effective date

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

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

3. Discuss and consider action to authorize the City Manager to execute a Notice of Intent with Performance Services, Inc to complete an investment grade audit of the City's water metering system

Mayor Miner announced the item was pulled and postponed until further notice. There was no discussion or action taken on this item.

4. Discuss and consider action on a Resolution by the City of Watauga, Texas repealing Resolution No. 2021-004; providing for the return to one regular city council meeting per month to occur on the second Monday in accordance with the city charter; providing for repeal; providing for severability and providing an effective date.

Council Member Shelbourne presented the item to Council and asked staff for input. Ms. Gardner commented that a Special Council meeting can be called to address items that are time sensitive. However, there are certain items, such as a local option election, that State law requires action be taken during a Regular Meeting only. Ms. Gardner also stated that having

two meetings a month requires extra work and staff time to prepare, especially from the CSO staff, but is available to support the Council in whatever decision is made.

Mr. Hyde commented that he is not aware of the charter not allowing cancellation of the second meeting if needed.

Mayor Miner stated that he is aware of at least three (3) events in which items were kept pending until the next Regular Meeting was held. He recommended waiting to address the meeting schedule after the budget work is complete.

Council Member Taylor stated that the primary purpose of hosting two (2) Regular Meetings a month, is the first is the primary meeting and second meeting is available if needed but can be cancelled.

The consensus of Council was to continue with two Regular Meetings each month.

Council Member Shelbourne made a motion to take no action at this time. Motion seconded by Council Member Snyder. Mayor Miner called for discussion and hearing none, called for Council to vote. Motion carried 6-0-0-1.

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

Nays: None

Abstain: None

Absent: Downey

ITEMS FOR FUTURE AGENDAS

Mayor Miner requested further discussion regarding the BISD storm shelter issue. Ms. Gardner responded that once requests for further information and subject matter is received, it will be placed on a meeting agenda.

EXECUTIVE SESSION

Mayor Miner recessed the regular meeting for executive session at 7:37 p.m., to discuss the following items:

- 1. Pursuant to Texas Government Code Section 551.071 and 551.087, the Watauga City Council will meet in Executive Session to seek legal advice and deliberate on economic development negotiations with Smit Shah**
- 2. Pursuant to Section 551.071 and 551.074, to deliberate upon and seek the advice of the City Attorney regarding the duties of the City Manager, Andrea Gardner**
- 3. Pursuant to Texas Government Code 551.074, the Watauga City Council will meet in executive session to deliberate the employment and duties of the City Attorney**

RECONVENE

Mayor Miner reconvened the regular meeting at 9:59 p.m.

ITEMS OF EXECUTIVE SESSION DELIBERATION

1. **Discuss and consider action to enter into an economic development reement with Smit Shah**

Mayor Miner stated that direction was given to the city manager to continue negotiations with Smit Shah.

2. 3. **Pursuant to Texas Government Code 551.074, the Watauga City Council will meet in executive session to deliberate the employment and duties of the City Attorney**

Council Member Snyder made a motion to approve the City Attorney's office budget submittal and amended agreement as presented in Executive Session. Motion seconded by Council Member King. Mayor Miner called for discussion and hearing none, commented that he does not believe there was sufficient time to review the proposed changes. As there was no further discussion, Mayor Miner called for Council to vote. Results were 3-3-0-1.

As per Section 3.06 of the city's charter, the mayor..."shall vote only in case of a tie vote of the city council..." As such, Mayor Miner voted "no". Motion failed 3-4-0-1.

Ayes: Snyder, Neal, King
Nays: Shelbourne, Taylor, Hill, *Miner*
Abstain: None
Absent: Downey

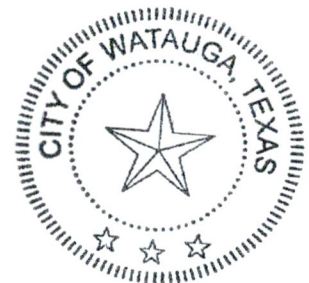
3. 2. **Pursuant to Section 551.071 and 551.074, to deliberate upon and seek the advice of the City Attorney regarding the duties of the City Manager, Andrea Gardner**

Mayor Miner stated that no action will be taken at this time.

ADJOURNMENT

Mayor Miner adjourned the meeting at 10:04 p.m.

APPROVED: this 12TH day of July, 2021.
SIGNED: this 13TH day of July, 2021.



APPROVED:

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

ATTEST:

Andrea Gardner /s/
Andrea Gardner, TRMC, City Secretary