

**MINUTES
WATAUGA CITY COUNCIL
REGULAR MEETING
MONDAY, AUGUST 9, 2021
CITY HALL, COUNCIL CHAMBER, 7105 WHITLEY ROAD
6:30 PM**

CALL TO ORDER

Mayor Miner called the Regular Meeting of the Watauga City Council to order at 6:46 P.M.

ROLL CALL

Council Place 1, Pat Shelbourne – Present
Council Place 2, Tom Snyder – Present
Council Place 3, Lovie Downey – Present
Mayor Pro Tem/Council Place 4 – Andrew Neal – Present
Council Place 5 – Juanita King – Present
Council Place 6 – Mark Taylor – Present
Council Place 7 – Jan Hill - Present

INVOCATION

Invocation provided by Dennis Hester, First Baptist Church of Watauga.

PLEDGE OF ALLEGIANCE

Mayor Miner led the Pledges to the US Flag and Texas Flag.

ANNOUNCEMENTS

Mayor Pro Tem Neal: Congratulated Dollar General for 30 years, Tony's Wash and Lube for 20 years and CVS located in Target for 5 years as a Watauga businesses. He also announced the Redo Prom at Watauga Community Center on Friday, September 3, 2021. He announced the Clear the Shelter event scheduled for August 18, 2021 from 10am – 5pm.

Mayor Mlner: Stated Big Truck Day was a success, thanks to staff. He also announced Alzheimer's Education Seminar to be held at TCC as a free luncheon and reminded the public of the rental assistance program at getrenthelp.com or 817-850-7940 option 2.

Mayor Miner changed the agenda order to allow for Public Comment from a registered speaker.

Mr. Daniel Bennett from White Settlement, Texas addressed the Council regarding certain properties that were under Appraisal Review Board review. He provided a copy of letter to the City Council members regarding the matter and stated that Mr. Jeffrey Law, Tarrant County Appraisal District Chief Appraiser, was ignoring the law. The letter provided by Mr. Bennett have been filed in the City's records and made a part of these minutes.

PRESENTATIONS

1. Presentation of Service Awards for City of Watauga Employees celebrating a milestone anniversary during the month of August 2021

Ms. Gardner and Mayor Miner presented employee service awards for employees celebrating 15 years to Ms. Cathy Nguyen; Steve Gochal and Ms. Marcia Reyna.

2. Presentation on bulk waste collection, regulations and enforcement

Sgt. Kevin Mead presented the item to the Council. (Presentation is attached). Abel Moreno from Waste Connections was also present to answer questions from the Council.

44 open cases for bulk waste (North end of the city)
Bulk services is up to date and on schedule
Updated map provided by vendor

Questions:

Council Member Shelbourne thanked Sgt. Mead and staff for responding to a concern from a Citizen.

Council Member Taylor appreciated the teamwork and vendor. He also inquired about the typical time frame for conducting re-inspections. Kevin responded 7-10 days to re-inspect. CM Taylor asked if the roll-off containers have been removed and Sgt. Mead stated the dumpsters have been removed. He then asked what the real date was for pick-up.

Mr. Moreno stated that Zone 3 will begin tomorrow, and that Waste Connections has "all hands on deck", meaning that supervisors out with the team, employees with a CDL are on the truck assisting with collections.

Council Member Taylor inquired about what citizens are doing to cause the problems, like placing tires on the curb for collection.

Mr. Moreno stated that drivers are taking pictures of piles not in compliance with the City's ordinance and the City's Code Enforcement is assisting with notification.

He stated the communication has improved tremendously and they are now using adhesive tags to notify citizens of non-compliance, so they don't blow away.

Council Member Taylor asked about people going through other's bulk and strolling it out over the yards and what is being done about that issue.

Sgt. Mead responded that staff is doing the best they can to address.

Mayor Pro Tem Neal asked about what happens if bulk is missed.

Sgt. Mead stated to contact Code. He also explained that Waste Connections sometimes reports back that vehicles are parked in a manner that blocks access or the items are too heavy for pick-up by personnel.

Mayor Pro Tem Neal stated that the situation has been ongoing for two years and he does not have confidence that Waste Connections will be able to keep up.

Council Member Hill stated that several residents contacted her stating that they liked having the roll-off containers and that they would like to continue but want a more controlled location.

Sgt. Mead responded that staff would need to work with Waste Connections for such an operation. He explained that people are still leaving bulk, although the containers were removed, in the locations the roll-offs were placed.

Council Member Downey echoed the sentiments of appreciation for staff and Waste Connections and agreed "the pickers" were a problem. She asked how successful door hangers are.

Sgt. Mead stated it is an effective tool but some are missing tags placed on front door because they go in/out through garage door.

Council Member Downey also expressed concern that employees are utilizing too much discretion and picking up items that shouldn't be.

Mr. Moreno explained the crews pick-up only what they are contractually obligated and are trained to pick up piles the size of a truck bed.

Mayor Miner stated that he is in zone 5 and not due for pick up for another three weeks. He inquired what will be done about those piles already on the curb and wanted to know why those individuals are given 7-10 days to resolve.

Sgt. Mead agreed that early placement on the curb is an issue.

Mayor Miner commented he has heard from some that do and others that don't

like roll-offs.

Council Member Shelbourne commented that some contractors are placing bulk on curb when the contractor is required to haul off the items.

Sgt. Mead stated Code works with the citizen on those issues.

PUBLIC COMMENT

Mr. Charles Manning – Stated he has been a member of the Senior Center since 2017 and been a resident of Watauga since 1962. He expressed dissatisfaction with the treatment of Seniors. He stated that he helped Seniors with May Fest for 2 years and now they can't keep anything they bought unless they donate item(s) to the City, that they aren't able to keep things in the building any longer and must take items home. He expressed concern that dances aren't allowed anymore.

Ms. Rosemary Manning – Thanked the Council for listening to her. She had a lot of things taken away because they weren't organized, the only way to save things is to take them home and that food is being taken away.

Mr. Roland Bourne – Stated that he is speaking on behalf of the Seniors and that he has been a member of Hurst and Southlake Senior Centers. He visited those Centers Pre-COVID and they had room for pottery. He stated he will not discuss Southlake because they are off the chain. He stated the Olympics might be canceled again due to COVID but they found a way to host and keep all safe. With that stated, the City should be able to find a way to continue.

Ms. Fabri – Stated she has been a member of the Senior Center for 13 years and that she understands coming out of hell is tough and money is tight. She requested kitchen help be hired and stated that Seniors were so excited when the Senior Center was constructed. She wants it changed back and stated the Center needs a hero.

Cynthia Shew – Stated she was an 18 year resident of Watauga and that a water line was dug up and has not been fixed yet. She further stated she noticed that another line on Coy Drive has already been fixed.

PUBLIC TESTIMONY FOR ACTION ITEMS

No requests to provide public testimony were provided; therefore, there was no public testimony.

CONSENT AGENDA

1. Consider action to accept the Watauga Economic Development Corporation's

Proposed Fiscal Year Budget for FY2021-2022; providing for all anticipated expenditures

2. Consider action to set the Watauga Economic Development Corporation's Proposed FY2021-2022 Budget Public Hearing and Adoption Date for Monday, August 23, 2021 at 6:30 p.m.
3. Consider action to approve the proposed "MetroShare" Consortium Interlocal Agreement
4. Consider action to approve the meeting minutes of the July 26, 2021 City Council Group Photo Session; July 26, 2021 City Council Workshop and July 26, 2021 Regular City Council Meeting.

Council Member Downey made a motion to approve the consent agenda as presented. Council Member King seconded the motion. There being no discussion allowed on consent agenda matters, the Mayor called for a vote.

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

Motion Carried 7-0-0.

PUBLIC HEARINGS / ACTION

1. Public Hearing on the Watauga Crime Control and Prevention District FY2021-2022 Proposed Budget

Mayor Miner opened the Public Hearing at 7:44 p.m.

Ms. Deby Woodard presented the item to Council. NO changes from items presented in the workshops held previously.

Receiving no requests to speak, the Mayor closed the Public Hearing at 7:45 p.m.

ACTION ITEMS

1. Discuss and consider action on a resolution approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division, regarding the Company's 2021 Rate Review Mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest;

approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the company and the ACSC's legal counsel

Ms. Gardner provided the staff report and informed Council that Darwin Winfield from Atmos was present to answer questions from Council.

Council Member Taylor made a motion to approve resolution of negotiated settlement. Council Member Hill seconded the motion.

Hearing no further discussion, Mayor Miner called for a vote.

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

Motion Carried 7-0-0.

2. Discuss and consider action to approve an Ordinance of the City of Watauga, Texas providing for and ordering a special local option election to be held on November 2, 2021, for the purpose of submitting to the qualified voters of the City of Watauga a proposition for or against legalizing "the legal sale of all alcoholic beverages for off-premise consumption only" in the City of Watauga; providing for notice of said election; authorizing a contract with Tarrant County for the conduct of the election; providing for a joint election on November 2, 2021, with other entities contracting with Tarrant County for such joint election; providing for election precincts and polling places; providing a savings clause; providing for repeal; providing for severability; providing an effective date; and containing other provisions related to the subject

Deliberar y considerar el curso de acción para aprobar una Ordenanza de la Ciudad de Watauga, Texas, para disponer y convocar una elección especial de opción local a celebrarse el 2 de noviembre de 2021 con el fin de presentar ante los votantes habilitados de la Ciudad de Watauga una proposición a favor o en contra de legalizar "la venta legal de todas las bebidas alcohólicas solamente para el consumo fuera de las instalaciones" en la Ciudad de Watauga; disponer la notificación de dicha elección; autorizar un contrato con el Condado de Tarrant para la celebración de la elección; disponer una elección conjunta para el 2 de noviembre de 2021 con otros organismos que contraten al Condado de Tarrant para tal elección conjunta; disponer los precintos electorales y los lugares de votación; disponer una cláusula de ahorro; disponer la revocación; disponer la

divisibilidad; disponer una fecha de entrada en vigencia; e incluir otras disposiciones relativas al asunto

Thảo luận và xem xét thực thi việc phê chuẩn một Sắc Lệnh của Thành Phố Watauga, Texas để quy định và ra lệnh tổ chức một cuộc bầu cử đặc biệt lựa chọn của cộng đồng vào ngày 2 tháng Mười Một, 2021, để đệ trình cho các cử tri hội đủ điều kiện của Thành Phố Watauga một kế hoạch đề nghị ủng hộ hoặc phản đối việc luật hóa " bán hàng hợp pháp tất cả các loại đồ uống có cồn chỉ để uống bên ngoài khuôn viên " tại Thành Phố Watauga; quy định thông báo về cuộc bầu cử nói trên; phê chuẩn một hợp đồng với Quận Tarrant để tiến hành cuộc bầu cử này; quy định về một cuộc bầu cử kết hợp được tổ chức vào ngày 2 tháng Mười Một, 2021, với các cơ quan tổ chức khác có hợp đồng với Quận Tarrant cho cuộc bầu cử kết hợp đó; quy định về các phân khu bầu cử và các địa điểm phòng phiếu; quy định một điều khoản bảo lưu; quy định thủ tục bãi bỏ; quy định về hiệu lực tách rời; quy định về ngày hiệu lực; và bao gồm các điều khoản quy định khác liên quan đến chủ đề này

Ms. Gardner presented the item to Council.

Council Member Hill made a motion to approve the item as presented. Mayor Pro Tem Neal seconded the motion.

Mayor Miner called for discussion and Council Member Hill made a statement that she was pleased with the efforts of the second group. Hearing no further discussion, the Mayor called for a vote.

Ayes: Shelbourne, Snyder, Downey, Neal, King, Taylor and Hill.

Nays: None

Motion Carried 7-0-0.

3. Discuss and consider action on legislative amendments to update and revise Chapter 2 of the City of Watauga Code of Ordinances

Ms. Gardner presented the item to the Council and stated the item will be included for action on the August 23, 2021 agenda, thus no action required.

REPORTS

1. Receive report from Mayor Miner regarding the creation of a special subcommittee of City Council, the City Manager Search Subcommittee, and appointment of members to same

Mayor Miner presented the item to the Council and stated the committee will consist of the Mayor, Council Members Shelbourne and Downey.

Mayor Pro Tem Neal asked when the first meeting will be conducted. The Mayor inquired with Ms. Reyna about the number of applications received. Ms. Reyna stated currently 18 applications and the plan is to meet on September 6, 2021. Mayor Pro Tem Neal then asked what the cut off date for applying is. Ms. Reyna stated the deadline to apply is September 24, 2021.

ITEMS FOR FUTURE AGENDAS

Mayor Pro Tem Neal requested a workshop on senior operations be scheduled and Council Member Taylor agreed to support and stated a senior committee should be created.

Mayor Miner recessed the open session to enter into Executive Session pursuant to Texas Government Code 551.071, 551.087, 551.074 and 551.072 at 8:00 p.m.

EXECUTIVE SESSION

1. Pursuant to Texas Government Code Sections 551.071 and 551.087, to seek legal advice regarding and to discuss economic incentives for Blazing Hospitality, LLC
2. Pursuant to Texas Government Code Sections 551.071 and 551.087, to seek legal advice regarding and to discuss economic incentives for FSG, LLC (locally known as Excel Construction) to expand operations within the City of Watauga
3. Pursuant to Texas Government Code Sections 551.071 and 551.087, to seek legal advice regarding and to discuss economic incentives for Smiley Transportation
4. Texas Government Code Section 551.074, to deliberate the appointment, employment or duties of an interim City Manager
5. Pursuant to Texas Government Code Section 551.074, to deliberate upon the employment of a new City Secretary
6. Pursuant to Texas Government Code Section 551.072, to deliberate the purchase, exchange, lease or value of real property - Watauga Addition Block 1 Lots 6, 7, 8 & 9, Watauga Addition Block 1 Lot 10 & 11 and Watauga Addition Block 1 Lot 12A

RECONVENE

Mayor Miner reconvened into Open Session at 12:13 a.m. on August 10, 2021.

ITEMS OF EXECUTIVE SESSION DELIBERATION

1. Discuss and consider action on a Chapter 380 Agreement between the City of Watauga and Blazing Hospitality, LLC

Mayor Miner announced there was no action to be taken on the item as a result of the discussion in Executive Session.

2. Discuss and consider action on a Chapter 380 Agreement between the City of Watauga and FSG, LLC

Mayor Miner announced there was no action to be taken on the item as a result of the discussion in Executive Session.

3. Discuss and consider action on a Chapter 380 Agreement between the City of Watauga and Smiley Transportation

Mayor Miner announced there was no action to be taken on the item as a result of the discussion in Executive Session.

4. Texas Government Code Section 551.074, to deliberate the appointment, employment or duties of an interim City Manager

Mayor Miner called for a motion on the item. Council Member Shelbourne made a motion to authorize the Mayor to meet with Human Resources on August 10, 2021, to announce the choice for Interim City Manager. Mayor Pro Tem Neal seconded the motion.

Hearing no discussion, the Mayor called for a vote.

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

Nays: None

Motion Carried 7-0-0.

5. Pursuant to Texas Government Code Section 551.074, to deliberate upon the employment of a new City Secretary

Mayor Miner announced there was no action to be taken on the item as a result of the discussion in Executive Session.

6. Pursuant to Texas Government Code Section 551.072, to deliberate the purchase, exchange, lease or value of real property – Watauga Addition Block 1 Lots 6, 7, 8 & 9, Watauga Addition Block 1 Lot 10 & 11 and Watauga Addition Block 1 Lot 12A

Mayor Miner announced there was no action to be taken on the item as a result of the discussion in Executive Session.

ADJOURNMENT

There being no further business before the Council, Mayor Miner adjourned the meeting at 12:15 a.m. on August 10, 2021.

APPROVED: this 13th day of September, 2021.

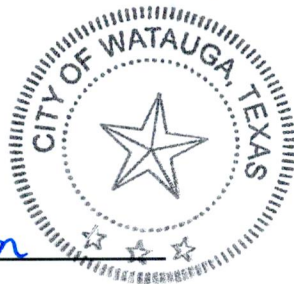
SIGNED: this 14th day of September, 2021.

ATTEST:

/s/ Terri Johnson

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Terri Johnson, Interim City Secretary



APPROVED:

Arthur L. Miner /s/

Arthur L. Miner, Mayor

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