



AGENDA
WATAUGA CITY COUNCIL
WORKSHOP MEETING
MONDAY, DECEMBER 11, 2023
CITY HALL COUNCIL CHAMBER, 7105 WHITLEY ROAD
5:30 PM

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

CALL TO ORDER (Council Members, City Staff, Members of the Public - when speaking during the meeting please speak directly into the microphones on the dais or podium)

ROLL CALL

ANNOUNCEMENTS

PUBLIC COMMENT If speaking for an organization or group, the speaker should identify the group represented. If speaking during Public Comment (for matters not posted on that particular meeting's agenda), members of the City Council and Staff may only provide a statement of factual information in response to the inquiry or recite existing policy in response (e.g., to correct a factual misstatement made by the citizen or provide factual information requested by the citizen). Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a future meeting. If necessary, the Chair will task the City Manager to respond to the citizen and report back to the City Council as soon as practicable. Such report to the City Council shall not constitute a meeting called by the City Council nor shall it constitute deliberation or formal action. Individual citizens addressing the City Council during Public Comment shall not exceed three (3) minutes in their comments; however, the Chair may extend or reduce the speaker's allotted time in order to conduct an efficient and effective public meeting. The time allotted shall not be donated to others desiring to speak. Public Comment is not established to engage in a conversation with the Council and no formal Council action will be taken.

PUBLIC TESTIMONY FOR ACTION ITEMS Only those persons who submit a completed Request to Speak form prior to the agenda item being introduced by the Chair will be allowed to speak on agenda items set for action (this doesn't include presentations or reports). The Chair shall ask each person requesting to speak to approach the podium when called to speak. Speakers time shall generally not exceed three (3) minutes in their comments and all comments must be germane to the specific agenda item being discussed; however, the Chair may extend

or reduce the speaker's allotted time. Speakers shall not be permitted to donate their time to other speakers. Members of the City Council may ask questions or discuss the item directly with the citizen during the citizen's testimony if necessary. Any discussion between a Council member and the citizen will not count toward the time limit and Council Members are encouraged not to speak until the citizen has first utilized their allocated time.

PRESENTATIONS

1. Watauga Public Library Workshop
Lana Ewell, Director of Library Services
2. Discussion of a proposed ordinance regulating the keeping of bees
Robert Parker, Police Chief

ADJOURNMENT

Meeting Notices and Reservation of Rights

The City Council may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code if the requisite information is otherwise posted; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code (as applicable) when determined necessary by the [City Council/Board/Commission/Committee] to address a subject matter on the agenda. Action, if any, will be taken in open session.

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city council, boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the city council, boards, commissions and/or committees may be permitted to participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that city council, body, board, commission or committee subject to the Texas Open Meetings Act.

NOTICE

THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST

BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (817) 514-5825, OR FAX (817) 514-3625.

I, Linda Proskey, City Secretary for the City of Watauga, hereby certify that this agenda was posted on the bulletin boards at City Hall, 7105 Whitley Road, Watauga, Texas, on December 8, 2023, before 5:00 p.m., in accordance with Chapter 551 of the Texas Government Code.



Linda Proskey, City Secretary





AGENDA MEMORANDUM

DATE: November 17, 2023
TO: Honorable City Council Members
FROM: Lana Ewell, Director of Library Services
THROUGH: Joshua Jones, City Manager
SUBJECT: Watauga Public Library Workshop

BACKGROUND/INFORMATION:

A workshop meeting was held on Monday, October 9, 2023, sponsored by Council Members Pat Shelbourne and Mark Taylor, in which the City Council held a discussion on the city library's operating hours, staffing levels and attendance. The main concerns and information shared by Shelbourne and Taylor were:

- What the community expects and needs from the library.
- If the library is currently open enough hours to serve the community.
- Hours open, staffing levels and annual operating budgets as compared to libraries in neighboring cities.
- "Who" from the public is attending programs provided by the library, e.g., mainly Wataugans or non-residents.
- The City Council nor staff have received any negative comments or complaints from city residents regarding library operating hours.

The result of the discussion was Mayor Miner requesting that questions regarding the library be submitted to him by members of the City Council. Those would then be forwarded to the City Manager. After analyzing data gathered by and with input from the Library Director and staff, the City Manager would then provide a recommendation at an upcoming workshop on the feasibility of adding hours during the week.

The City Council will discuss and consider the recommendation and, if appropriate, provide feedback and direction to the City Manager, which may include additional budgetary appropriations for the library in the FY2023-2024 budget.

FINANCIAL IMPLICATIONS:

The estimated cost to provide an additional ten (10) hours per week with no impact on current programming is ≈\$75,435 per year.

RECOMMENDATION/ACTION DESIRED:



AGENDA MEMORANDUM

Due to the estimated increase in operating costs, significant changes to the library to facilitate the additional hours and the absence of any complaints from the public concerning the library's current hours of operation, staff recommend no change at this time.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Library Workshop 12.11.23

REVIEWED BY:

Lana Ewell, Director of Library Services

Joshua Jones, City Manager

Linda Proskey, City Secretary

Approved as to form for inclusion on Agenda

Approved - 12/8/2023

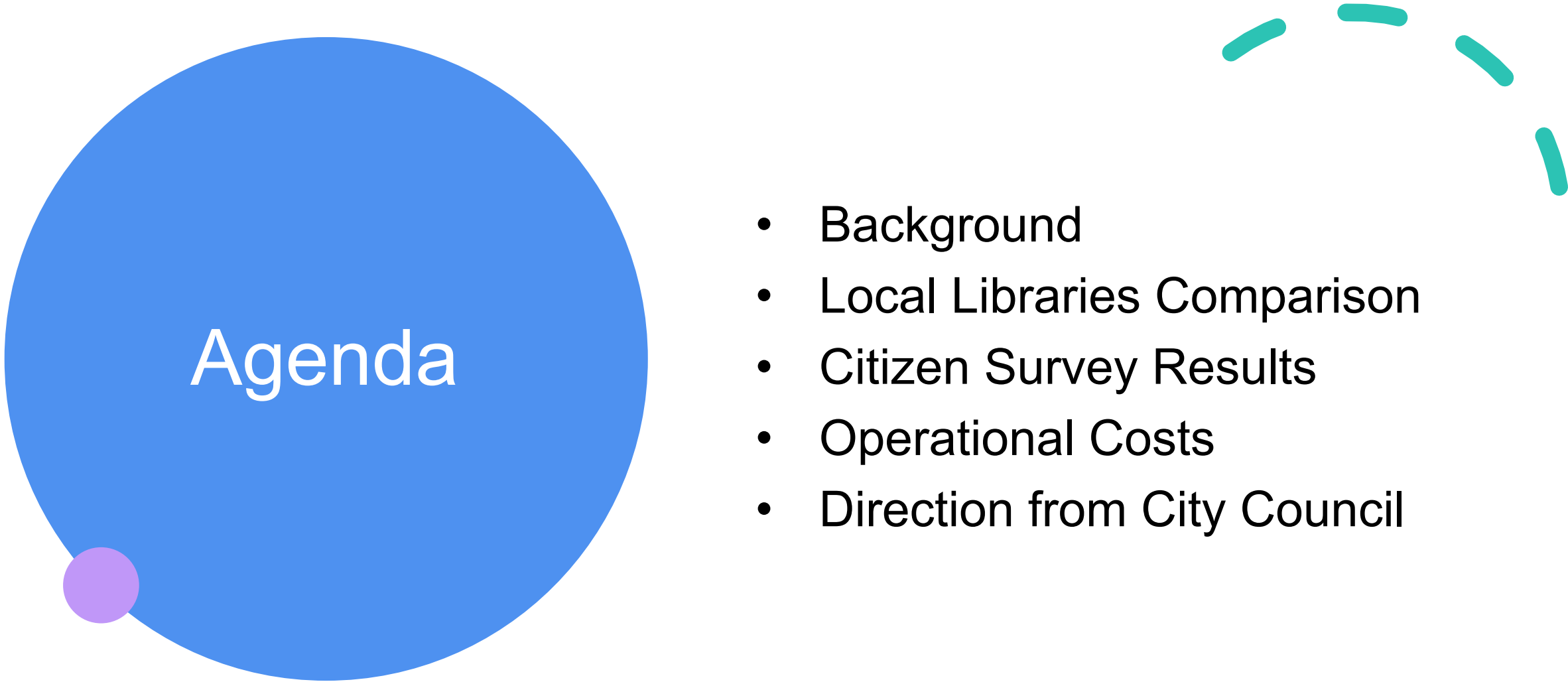
Approved - 12/8/2023

Final Approval - 12/8/2023



City of Watauga Library Services Workshop

Presenter: Lana Ewell



Agenda

- Background
- Local Libraries Comparison
- Citizen Survey Results
- Operational Costs
- Direction from City Council

Background

During a workshop on October 9, 2023, City Council held a discussion on the city library's operating hours, staffing levels and attendance. The main concerns the City Council wanted addressed were:

- Community expectations and needs.
- Library operating hours.
- Comparison to libraries of neighboring cities.
- Main users of the library.

City Council Members were asked to send their questions and concerns to the Mayor, which would then be forwarded to the City Manager. After analyzing data gathered by the Library staff, the City Manager would then provide a recommendation at an upcoming workshop on the feasibility of adding hours during the week.



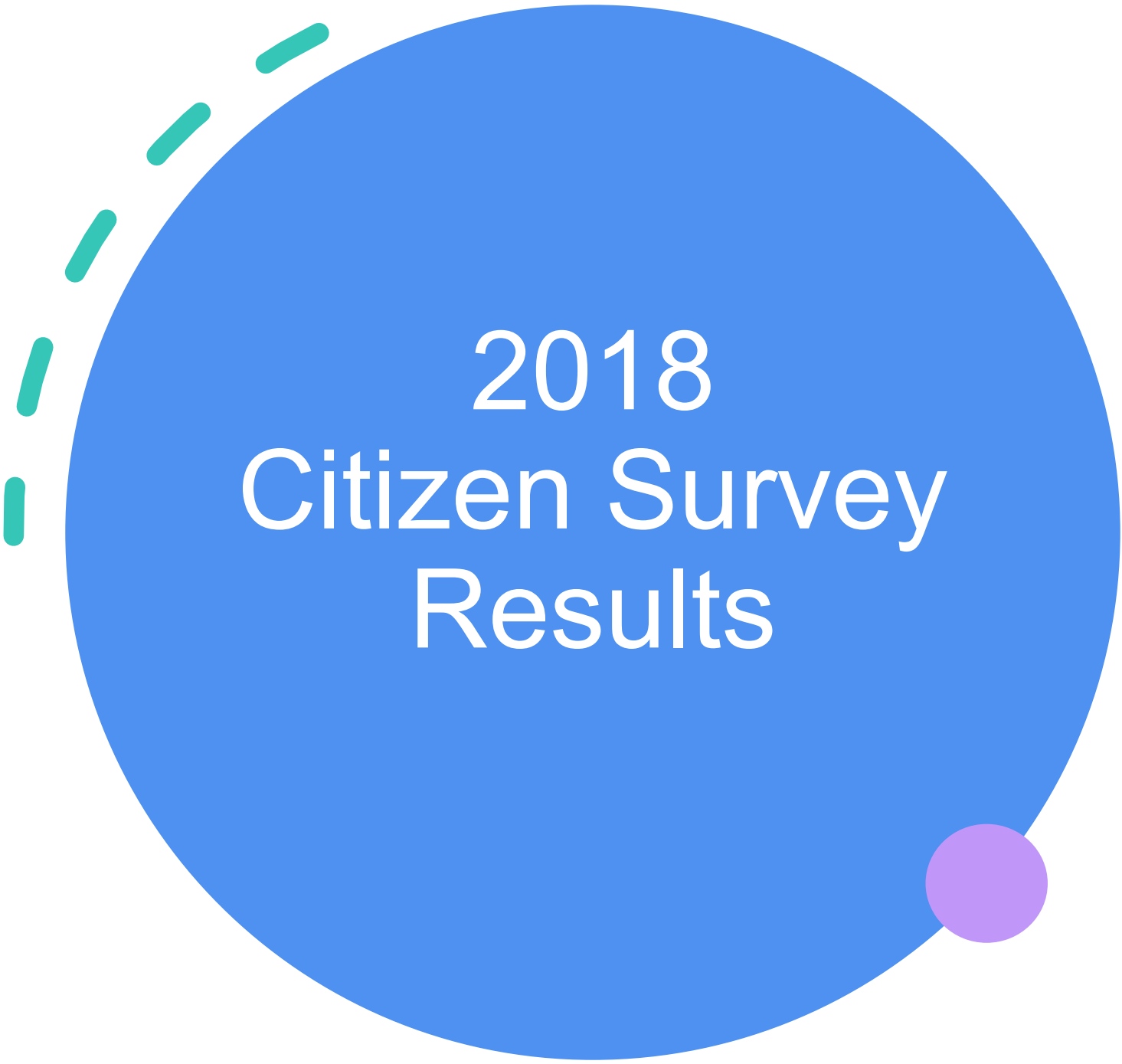


Local Libraries Comparison



Library	Population	Annual Budget	# of Programs	Circulation	Hours Open/Week	FT Staff	PT Staff	FTE
Watauga	23,315	\$877K	619	142,040	43	9	11	14.5
Haltom City	45,750	\$1.09M	415	122,890	52	10	7	13.5
Keller	45,400	\$1.86M	620	713,910	54	12	7	15.5
North Richland Hills	70,210	\$2.07M	531	617,990	50	17	19	26.5
Richland Hills	8,485	\$695K	99	35,990	44	2	5	4.5

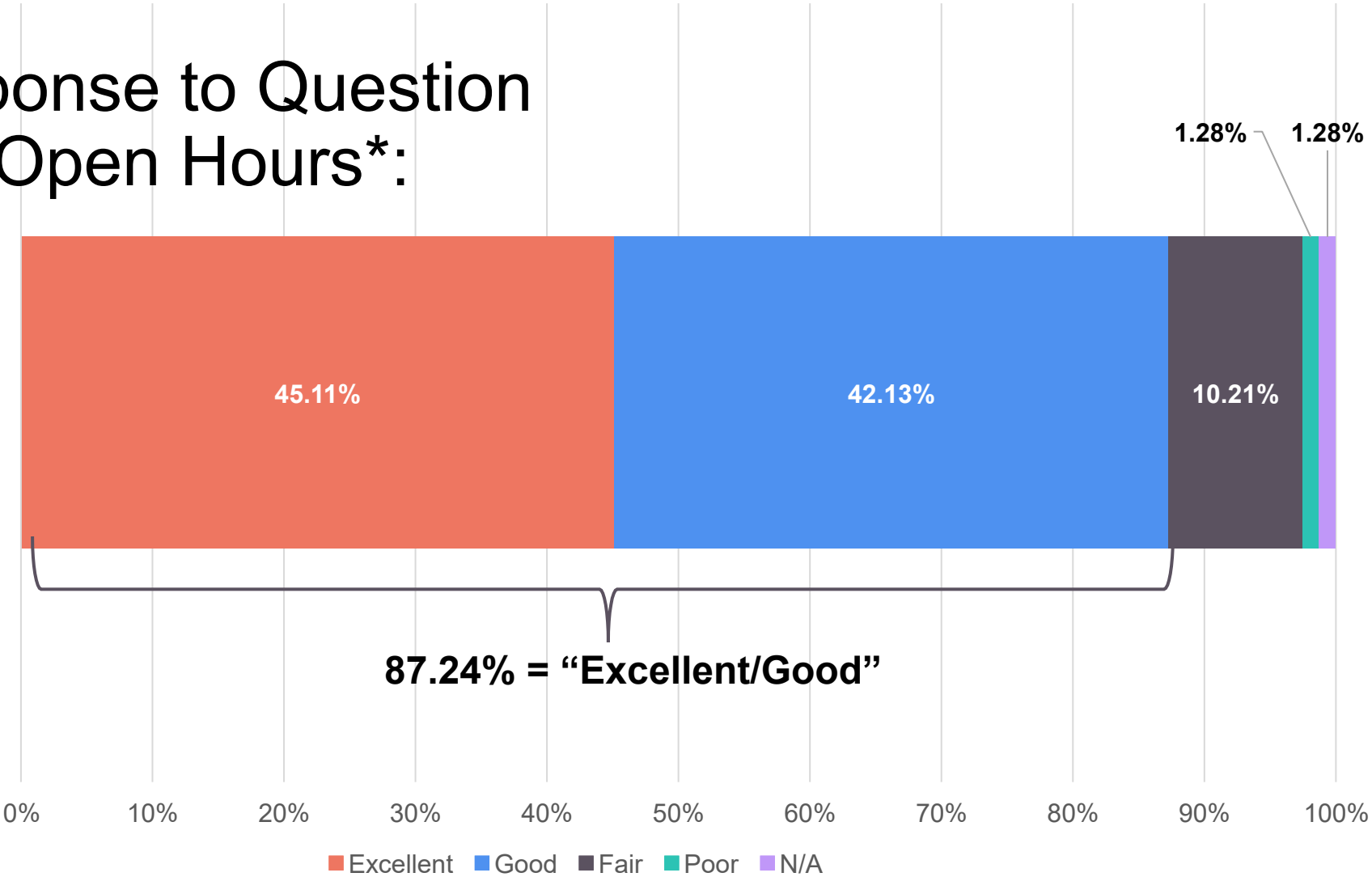


2018 Citizen Survey Results

Citizen Response to Question Concerning Open Hours*:

Hours of Operation



*Hours of operation was the highest rated aspect of library services according to the survey.

Additional Operational Costs*

Item/Personnel	#	Estimated Cost	Subtotal
Central Desk Remodel	1	\$ 5,000	\$ 5,000
PT Staff for Circulation	2	\$ 12,400	\$ 24,800
FT Staff for Youth	1	\$ 45,635	\$ 45,635
Estimated Minimum Total			\$ 75,435

**Assumes no changes to current programming.*

Library Staff Input

- Moving Public Service Staff to one desk does not address overall issues of public use and workflow.
- Relocating all staff (except Circulation) to one area can lead to longer wait time during busy periods.
- This could have a major impact on customer service which Watauga Public Library is known for.
- Due to work shifts (current Saturday and Monday & Thursday evening coverage) staffing is staggered. That combined with vacations, illness, shifts in work due to big events, means the daily staffing is not abundant.
- Safety concerns with no staff in parts of the building.
- The library has not received any requests for additional hours.

Summary

Staff do not recommend any change for the current budget year due to the following:

- High estimated increase in operating costs
- Significant changes required to the library to facilitate the additional hours without affecting customer service or existing programs
- The absence of any complaints from the public concerning the library's current hours of operation
- Outdated survey results





Questions?



AGENDA MEMORANDUM

DATE: December 4, 2023
TO: Honorable City Council Members
FROM: Robert Parker, Police Chief
THROUGH: Joshua Jones, City Manager
SUBJECT: Discussion of a proposed ordinance regulating the keeping of bees

BACKGROUND/INFORMATION:

Watauga City Council requested that Animal Services and Code Enforcement prepare an ordinance related to residential beekeeping as a hobby and regulations the city might need or want to impose. Discussion of the proposed ordinance revealed some requests for changes that have been made. Mayor Miner installed a committee that included Council members and staff. The committee met for final changes and is presenting the updated ordinance for discussion.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

Staff is seeking direction of Council to change or move forward with an ordinance for final City Council Approval

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Beekeeping ordinance 2023

REVIEWED BY:

Robert Parker, Police Chief
Tonya DeGrand, ACO
Joshua Jones, City Manager
Linda Proskey, City Secretary

Approved - 12/5/2023
Approved - 12/5/2023
Approved - 12/5/2023
Final Approval - 12/5/2023

Approved as to form for inclusion on Agenda

Beekeeping Ordinance

DEFINITIONS.

In this chapter:

- (1) APIARY means a place where a bee colony is kept.
- (2) BEE means any stage of the common domestic honey bee, *Apis mellifera* species.
- (3) COLONY means a hive and related equipment and appurtenances including bees, comb, honey, pollen, and brood.
- (4) HIVE means a structure intended to house a colony.
- (5) TRACT means a contiguous parcel of land under common ownership.
- (6) UNDEVELOPED PROPERTY means any property that is not improved or under improvement for human use or occupancy, including property developed as a street or highway, or used for a commercial agricultural purpose.

APIARY MAINTENANCE.

- (A) A person shall keep a colony in a Langstroth-type hive with removable frames that are maintained in sound and usable condition.
- (B) A person shall provide a source of water within 15 feet of a colony to prevent the bees from congregating at a water source used by a human, bird, or domestic pet.
- (C) A person shall store or dispose of bee comb or other material removed from a hive in a sealed container, building, or other bee-proof enclosure.

HIVE LOCATION.

A person may not locate a hive within 10 feet of the property line of a tract or any other structure, as measured from the nearest point of the hive to the property line, and must not be placed within any building line, yard setback, right-of-way, and/or easement. The hive must be located in the rear yard of the residence and the location must be properly fenced and not less than four feet in height.

CONSTRUCTION OF FLYWAY BARRIER.

- (A) Except as provided in Subsection (B), a person who keeps a colony within 25 feet of the property line of a tract, as measured from the nearest point of a hive to the property line, shall establish and maintain a flyway barrier parallel to the property line.
- (B) A person is not required to construct a flyway barrier if the apiary tract is adjoined by undeveloped property for a distance of at least 25 feet from the property line of a tract that is closest to the location of the colony.
- (C) A flyway barrier created under this section must:
 - (1) consist of a solid wall, fence, dense vegetation, or combination of these materials at least eight feet high; and
 - (2) extend at least 10 feet beyond the hives on each end of the colony.

CONTROL OF AGGRESSIVE COLONY.

- (A) A person shall immediately replace the queen in a colony that exhibits aggressive characteristics, including stinging or attempting to sting without provocation, or a disposition towards swarming. A person required to replace a queen under this subsection shall select the replacement from bee stock bred for gentleness and non-swarming characteristics.

Beekeeping Ordinance

(B) As required for swarm management, a person may maintain a nucleus colony for the colony allowed under this chapter. A person may house a nucleus colony in a structure not exceeding a standard 9 $\frac{5}{8}$ -inch depth ten-frame hive body with no supers attached. A person shall dispose of or combine a nucleus colony with an authorized colony not later than the 30th day after the date the nucleus colony is acquired.

COLONY DENSITY.

- (A) A person may not keep more than two colonies on a residential lot, tract, or individual property.
- (B) A person may not have more than two brood boxes per colony.

HIVE IDENTIFICATION AND OWNERSHIP.

- (A) Except as provided in Subsection (B), a person shall:
 - (1) brand, paint, or otherwise clearly mark the apiary owner's name or telephone number on the hive; or
 - (2) post a conspicuous sign displaying the apiary owner's name and telephone number at the entrance to the apiary tract.
 - (3) The owner notifies the animal services department, in writing, of the location of where the hive is kept.
 - (4) The owner provides the department with a certificate of participation in beekeeper training which can include an online program.
- (B) A person is not required to place owner identification on or near a colony located on a tract on which the owner resides.

INSPECTION OR ENFORCEMENT.

- (A) The animal control officer, or any police officer, may inspect an apiary between the hours of 8:00 a.m. and 5:00 p.m. If the owner of the apiary resides on the tract or the owner's name is marked on the colony, the animal control officer, or any police officer, shall attempt to give the owner notice of inspection.
- (B) The animal control officer, or any police officer, may investigate a complaint of a violation of this chapter.
- (C) For enforcement actions under this chapter, the animal control officer, or any police officer, may presume that the person who owns or has a present right of possession or control of a tract on which an unidentified colony is located is the owner of the colony. A person may rebut the presumption of ownership by presenting the animal control officer, or the police officer, with a written agreement identifying the name, address, and telephone number of the owner of the unidentified colony.
- (D) A person commits an offense if a person violates any section of this chapter.
- (E) The animal control officer, or any police officer, shall have the authority to issue citations for any violation(s) under this chapter.

DESTRUCTION OF WILD OR ABANDONED BEES.

- (A) The animal control officer, or any police officer, will order the relocation of bees described in Subsection (B)(1)—(3) if the relocation of the bees can be done without threatening human or animal health or interfering with the normal use and enjoyment of public or private property.
- (B) If relocation of bees under Subsection (A) is not possible then, without notice and a hearing, the animal control officer, or any police officer, may order the destruction of:
 - (1) a colony not residing in a hive;
 - (2) a swarm of bees; or
 - (3) a colony residing in an abandoned standard or man-made hive.

Beekeeping Ordinance

NOTICE OF VIOLATION OR HEARING.

- (A) Except as provided in Section “*Destruction of Wild or Abandoned Bees*,” the animal control officer, or any police officer, shall issue written notice to a person the animal control officer, or any police officer, believes to be in violation of this chapter. Notice of violation issued under this section must include:
- (1) a description of the alleged violation;
 - (2) a description of the required corrective action;
 - (3) a statement that compliance is required within 10 days of the date of the notice; and
 - (4) a statement that the person may request a hearing to determine if a violation of this chapter exists.
- (B) If a person requests a hearing or fails to correct an alleged violation within 10 days of the date a notice of violation is issued, the animal control officer, or any police officer, shall issue a notice of hearing to the person. Notice of hearing issued under this section must include:
- (1) the date, time, and place of the hearing;
 - (2) a description of the alleged violation;
 - (3) a statement that the person may appear in person or through counsel, present evidence, cross-examine witnesses, and request that the proceeding be recorded; and
 - (4) a statement that the bees may be ordered relocated, destroyed, or removed if the animal control officer, or any police officer, finds a violation of this chapter has occurred.
- (C) Except as provided in Subsection (D), the animal control officer, or any police officer, shall send notice under this section by certified mail.
- (D) If the animal control officer, or any police officer, is unable to locate the owner of a colony, notice under this chapter may be given by posting a notice on the tract where the colony is located.

ENFORCEMENT PROCEDURE.

- (A) The animal control officer, or any police officer, shall conduct a hearing requested under this chapter under the preponderance of credible evidence standard of proof.
- (B) If the animal control officer, or any police officer, finds that a person has committed a violation of this chapter, the animal control officer, or any police officer, may:
- (1) issue an enforcement order;
 - (2) order that the person's bees be relocated, destroyed or removed not later than the 20th day after the date of the decision; and
 - (3) prohibit the person from locating a colony on the same tract for a period of two years following the date of the decision.
- (C) The animal control officer, or any police officer, may issue a warning if the animal control officer, or any police officer, determines that a person did not intentionally commit a violation and that the person has implemented corrective action sufficient to cure the alleged violation.
- (D) If a person fails to comply with an enforcement order issued under this chapter, the animal services officer, or any police officer, may destroy or relocate a colony subject to the order.
- (E) After the destruction or relocation of a colony by the animal control officer, or any police officer, the owner of the hive is to pay all related expenses and request that the animal control officer, or any police officer, return all usable components of the hive structure that are not damaged or unsafe for use.

Beekeeping Ordinance

- (F) In issuing orders under this section, the animal control officer, or any police officer, will order the relocation of bees, instead of their destruction, if relocation can be done without threatening human or animal health or interfering with the normal use and enjoyment of public or private property.

APPEAL.

- (A) A person may appeal the animal control officer's, or any police officer's, decision under this chapter to a court of competent jurisdiction. An appeal under this section shall stay the animal control officer's, or any police officer's, decision.
- (B) The animal control officer, or any police officer, may not require a person to remove a colony subject to a decision under appeal pending the determination of the appeal.