

**MINUTES
WATAUGA CITY COUNCIL
REGULAR MEETING
THURSDAY, MARCH 7, 2019
CITY HALL, COUNCIL CHAMBER, 7105 WHITLEY ROAD
6:30 PM**

CALL TO ORDER

The City Council of the City of Watauga, Texas convened in the Regular Meeting at 6:31 p.m. with the following members present:

Mayor Pro Tem, Place 4	David Griffin
Council Member, Place 1	Scott Prescher
Council Member, Place 2	Tom Snyder
Council Member, Place 3	Sandra Bush
Council Member, Place 5	Melva Clark
Council Member, Place 6	Mark Taylor
Council Member, Place 7	Kim Irving

and

Andrea Gardner, City Manager
Jessika Velazquez, Representative of City Attorney's office
Zolaina R. Parker, City Secretary
Robert Parker, Chief of Police
Shawn Fannan, Fire Chief
Sandra Gibson, Director of Finance
Paul Hackelman, Director of Public Works
Sal Torres, Director of Parks and Community Services
Lana Ewell, Library Director
Bradley Fraley, Chief Information Officer/PIO

INVOCATION

Council Member Kim Irving voiced the invocation.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem David Griffin led the pledges of allegiance to the United States flag and the State of Texas flag.

ANNOUNCEMENTS

City Staff did not have any announcements.

Council Member Mark Taylor announced the following:

- 1) Thanked Café Sicilia for providing the food this evening

- 2) Paws in the Park
- 3) State of the City Address to be held March 20, 2019

Mayor Pro Tem Griffin expressed appreciation for the public's attendance at the Council meetings and everyone's support of the City of Watauga.

DISCUSSION AND APPROVAL OF MEETING AGENDA

1. Consideration and action on approval of meeting agenda

Council Member Sandra Bush made the motion to approve the meeting agenda. The motion was seconded by Council Member Melva Clark and passed with the following vote:

AYES: Bush, Clark, Griffin, Prescher, Snyder, Taylor, Irving
NAYS: None
ABSENT: None
ABSTAIN: None

PRESENTATIONS

1. Presentation of a Proclamation to All Storage in honor of their 15 Year Business Anniversary

Mayor Pro Tem Griffin presented a Proclamation to All Storage in honor of their 15 Year Business Anniversary.

2. Presentation of a Proclamation to Cost Plus World Market in honor of their 15 Year Business Anniversary

Mayor Pro Tem Griffin presented a Proclamation to Cost Plus World Market in honor of their 15 Year Business Anniversary.

3. Presentation of a Proclamation to Half Price Books in honor of their 15 Year Business Anniversary

Mayor Pro Tem Griffin presented a Proclamation to Half Price Books in honor of their 15 Year Business Anniversary.

4. Presentation of a Proclamation to Wells Fargo, N.A. in honor of their 15 Year Business Anniversary

Mayor Pro Tem Griffin presented a Proclamation to Wells Fargo, N.A. in honor of their 15 Year Business Anniversary.

5. Presentation of Service Awards for City of Watauga Employees celebrating a milestone anniversary during the month of March 2019.

Andrea Gardner, City Manager, presented Service Awards for City of Watauga Employees celebrating a milestone anniversary during the month of March 2019 to Helen Newpher, Public Works Permit Technician with 10 years of service and to Police Lieutenant Jason Babcock with 20 years of dedicated service.

6. Presentation of Comprehensive Annual Financial Report for period ending September 30, 2018

Sandra Gibson, Director of Finance introduced Mr. Christopher Breaux with Whitley Penn who presented the Comprehensive Annual Financial Report for the fiscal year ending September 30, 2018.

CITIZEN'S OPEN FORUM

Citizens addressing the City Council included:

Paul Hopkins, 7509 Meadowbrook Drive – felt Council needed to review the codes and ordinances and he agreed with that being completed. He also commented about allowing work trailers as Watauga is a working class community.

Dawanna Brown, 6613 Willow View Dr. – concerned about the safety of school zones and safety of children due to lack of patrol.

Lissa Sieja, 6605 Jerri Lynn Dr. – expressed interest in a dog park.

Michael Schwabb, 6909 Bennington Drive – with Lifestyle Church stated everyone is praying for the Council.

Art Miner, 7757 Kelly Lynn Lane – thought the Meet the City event was great. He also stated that the Mayor's speech during the Announcement portion of the agenda was out-of-line.

Donna Strickland, 5654 Cornwallis Court – talked about the tone of the Council meetings and stated that clapping is not appropriate for the assembly.

Nicki Freeze, 6516 Old Mill Circle – concerned about the safety for the children with regard to speeding.

REPORTS

1. Report on the Texas Municipal League Youth Advisory Commission Summit held in February 2019

Council Member Scott Prescher presented a report on the Texas Municipal League Youth Advisory Commission Summit held in February 2019. He introduced Ty Cruze, 6013 Kary Lynn Dr. South, who addressed the Council. Ty attended the Summit with his father, Richard Cruze and Council Member Prescher.

2. Report on Economic Development Efforts

City Manager Gardner and Economic Development Specialist Denise Wilkinson presented a report on Economic Development efforts.

3. Update on Civic Plus Mobile Application

Bradley Fraley, Chief Information Officer/PIO provided an update on the Civic Plus Mobile Application.

CONSENT AGENDA

Council Member Melva Clark made the motion to approve the consent agenda as presented. The motion was seconded by Councilmember Irving and passed unanimously:

AYES: Clark, Irving, Griffin, Prescher, Snyder, Bush, Taylor
NAYS: None
ABSENT: None
ABSTAIN: None

1. Consideration of a proposed resolution amending Policy 10.10 Performance and Conduct Expectations of the City of Watauga Personnel, Administration and Financial Policies and Procedures Manual.

CITY OF WATAUGA RESOLUTION #19-03-07-01

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING SECTION 10.10 OF THE PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL REGARDING PERFORMANCE AND CONDUCT EXPECTATIONS; PROVIDING THAT ALL RESOLUTIONS IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

2. Consideration of proposed resolution agreeing to meet all matching contribution requirements for the expenditures under the Tarrant County Home Investment Partnerships Program (HOME) for program year 2019.

**CITY OF WATAUGA
RESOLUTION #19-03-07-02**

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AGREEING TO MEET ALL MATCH CONTRIBUTION REQUIREMENTS FOR THE EXPENDITURES UNDER THE TARRANT COUNTY HOME INVESTMENT PARTNERSHIPS PROGRAM FOR PROGRAM YEAR 2019; PROVIDING THAT ALL RESOLUTIONS IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

3. Consideration of an Interlocal Agreement for pavement striping of Patsy Lane between Tarrant County and the City of Watauga
4. Consideration and approval of the Tarrant County Interlocal Agreement for rehabilitation and resurface of North Park Drive
5. Consideration and acceptance of the Comprehensive Annual Financial Report for the Fiscal year ending September 30, 2018
6. Consideration and approval on the Monthly Financial Report for the period ending January 31, 2019
7. Consideration of January 14, 2019 Council Regular Meeting Minutes
8. Consideration of February 11, 2019 Council Regular Meeting Minutes
9. Consideration of February 11, 2019 Council Workshop Meeting Minutes

UNFINISHED BUSINESS

1. Consideration, discussion, and action on a proposed ordinance adopting Chapter 6, Article VII, Division 3 of the Watauga Code of Ordinances, providing for the creation of regulations concerning backyard chickens.

Citizens who spoke:

Richard Cruze, 6013 Kary Lynn Drive South – in favor of backyard chickens but would like to see the fence requirement be 4 feet instead of 6 feet and also change the height of the coup.

Paul Hopkins is pro-chicken and stated he does not care about the fences being a requirement as he feels other solutions like shrubs and trees can be used.

Amanda Cockran, 6517 Alta Vista Drive – will provide classes to city for free to care for chickens, as they need to be kept as any other animals.

Donna Strickland stated she hoped the Council would reconsider this issue because the ordinance needs to address more requirements, including the lot size requirement and those residents who have dogs.

Mayor Pro Tem Griffin called upon Police Chief Parker who stated that Council Member Prescher had a video to show the audience before he made any comments.

Council Member Prescher's video showed a visit he made with the Animal Shelter in South Fort Worth regarding chickens, as well as a visit with an owner of backyard chickens.

Chief Parker thanked City staff for preparing this presentation regarding backyard chickens. He stated that the response from citizens was overwhelmingly positive. Parker reviewed the research and the proposed ordinance.

Council Member Prescher made the motion to accept the proposed ordinance with changes on Page 3, Page 4, Page 5, Page 6 and Page 8. The motion died for lack of a second.

Council Member Taylor made a motion to approve the proposed ordinance as presented, and add the following requirements:

- 1) minimum lot size of not less than 7,500 square feet,
- 2) fencing or screening to obscure view of the chickens from the street and/or adjacent properties, and
- 3) applicant shall obtain consent of 75% of adjacent property owners when four (4) or more properties touch the applicant's property, or, if only three (3) properties touch the applicant's property, then the applicant would be required to obtain consent from 50% of those adjacent properties. The motion died for lack of a second.

Council Member Prescher made a motion to approve the proposed ordinance as presented. The motion died for a lack of a second.

Chief Parker explained that the plan was for the Police Department to get involved with the training of citizens for this issue.

City Council discussed this issue and no action was taken.

Mayor Pro Tem Griffin recessed the Regular Meeting at 8:54 p.m.

The Regular Meeting was reconvened at 9:09 p.m.

NEW BUSINESS

1. Consideration and action on a proposed ordinance amending Chapter 12, Section 12-6 of the Watauga Code of Ordinances, establishing fees and fines regarding Backyard Chickens

Citizens' Comments:

Art Miner asked questions about why additional comments cannot be heard on the chicken item and stated that in the past others were allowed to speak on a previous item.

Paul Hopkins stated that the proposed fees are excessive.

Neal Cooper, 6921 Cheatham Drive – stated that he agreed with Mr. Hopkins that the fees are excessive and should be looked at again.

Mayor Pro Tem Griffin made the motion to postpone this item indefinitely and the motion was seconded by Council Member Irving.

It was explained that this item went hand-in-hand with the ordinance allowing backyard chickens and if/when that item was brought back to City Council, this item would accompany it.

The vote of the motion to postpone this item indefinitely passed as follows:

AYES: Griffin, Irving, Snyder, Taylor, Clark
NAYS: Prescher, Bush
ABSENT: None
ABSTAIN: None

2. Consideration and action on proposed ordinance amending the City of Watauga Code of Ordinances, Chapter 22 – Licenses, Permits and Business Regulations – Article III, Child Care Facilities, updating Section 22-79, Requirements for home child care facilities, and Section 22-83, Driver's certificate for residential and commercial facilities

No citizens spoke on this item.

Public Works Director Paul Hackelman reviewed this ordinance with the City Council.

Following discussion, Council Member Taylor made a motion to approve ordinance as amended by moving Item C from Section 22-83 to Section 22-82(5) and replacing existing Item 5 in Section 22-82. The motion was seconded by Mayor Pro Tem Griffin and passed unanimously:

AYES: Taylor, Griffin, Bush, Clark, Prescher, Snyder, Irving
NAYS: None
ABSENT: None
ABSTAIN: None

ORDINANCE # 1687

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 22, ARTICLE III OF THE CODE OF ORDINANCES OF THE CITY OF WATAUGA, TEXAS; PROVIDING FOR UPDATES TO SECTIONS 22-79 AND 22-83 REGARDING VIDEO AND PAMPHLET REQUIREMENTS FOR DAY CARE FACILITY DRIVERS, BOTH RESIDENTIAL AND COMMERCIAL; PROVIDING THAT ALL ORDINANCES IN CONFLICT HEREBY ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

3. Consideration, discussion and direction on access to City Hall and the staff area after regular business hours

Citizen's Comments:

Art Miner does not know why this is on the agenda. He always thought City Council had full access to the facilities. He felt this should have been addressed behind closed doors and not in front of the public.

City Manager Gardner explained that Texas Open Meetings Act (TOMA) does not allow for those type of private meetings amongst a quorum of Council. She did not know what had been done in the past with Council access to City Hall.

Ms. Gardner gave a brief background of this item and Council discussed the need for access to City Hall.

It was the consensus of the City Council to direct City Staff to draft an item for Council Members who want access to the City Hall workroom area within the time frame of 6:00 a.m. – 10:00 p.m., seven (7) days a week (Council Members only).

4. Consideration, discussion and action on approval of a Certificate of Amendment to the Articles of Incorporation to the Watauga Parks Development Corporation with regard to changing the name to the Watauga Economic Development Corporation.

Citizens' Comments:

Paul Hopkins is concerned that the City needs to continue to protect the parks.

Nelson Stoppiello, 7104 Lyndale Court – stated that he supports the work of the City Council, the City Manager and the City Staff but he does not support changing the Parks Development Corporation to an Economic Development Corporation as it is going to take money away from Parks. Public hearings need to be held to address what citizens want to do. He urged Council to vote no.

City Manager Gardner addressed this issue and reminded the Council of a presentation she made in August, 2018. This is a name change only of Watauga's Type B Board.

Following discussion by the City Council, Council Member Taylor made the motion to change the name of Watauga Parks Development Corporation to Watauga Development Corporation.

The motion was seconded by Council Member Bush.

Ms. Gardner explained the two different types of economic development corporations - a 4-A and a 4-B or a Type A and Type B. The City of Watauga is a Type B corporation. Type A corporations requires any time money is spent on anything other than economic development, it would have to go on the ballot for the voters to approve but for a Type B, the City would have greater flexibility because you don't have to put a project on the ballot for the voters to approve.

The original motion was amended to name Watauga Economic Development Corporation. Council Member Taylor and Council Member Bush agreed to the amendment making the motion on the floor to rename Watauga Park Development Corporation to Watauga Economic Development Corporation.

The motion passed 7-0-0-0 as follows:

AYES: Bush, Clark, Griffin, Prescher, Snyder, Taylor, Irving
NAYS: None
ABSENT: None
ABSTAIN: None

RESOLUTION # 19-03-07-03

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS APPROVING THE CERTIFICATE OF AMENDMENT TO THE ARTICLES OF INCORPORATION TO THE WATAUGA PARKS DEVELOPMENT CORPORATION WHICH SHALL CHANGE THE CORPORATION'S NAME TO THE WATAUGA ECONOMIC DEVELOPMENT CORPORATION; PROVIDING THAT ALL RESOLUTIONS IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

5. Consideration, discussion and direction on amending the City of Watauga Code of Ordinances Sections 30-19, 30-20 and 30-21 regarding the Watauga Park Development Corporation members, responsibilities, and duties of members to include broader language allowing for all State authorized Type B projects to be conducted by the Board in accordance with Texas Local Government Code Chapters 501, 501 and 505

Citizens' Comments:

Nelson Stoppiello stated that this will not get the economic return that citizens are expecting. He is concerned about where this will lead.

Art Miner, President of the Watauga PDC, stated he is on board with the changes and approves moving forward with recouping businesses. He stated that additional training needs to be given to the current members.

The City Manager provided information on economic incentives allowed and protection for the City and the Economic Development Corporation.

The City Council agreed to all recommended changes and it was the consensus to direct City Staff to proceed with a draft ordinance to amend the City Code relating to this item.

6. Consideration, discussion and direction on transferring the property known as the Brooks Property located at 6200 Watauga Road with a legal description of 3.238 acres of the W.J. Miller Survey Abstract No. 1020 to the Watauga Type B Corporation for the purposes of completing a survey and listing the property for sale with the net of all selling expenses being placed in the PDC Fund for the specific purpose of increasing funds for incentive purposes to attract retail, industrial or other commercial economic development allowed under Texas Local Government Sections 501, 502 and 505 with the exception of Parks projects

Citizens who addressed the Council:

Nelson Stoppiello stated that the original use of that property was park land and before considering turning the proceeds of the sale of that property over to Economic Development, he wanted to make sure they go to Parks instead.

Paul Hopkins stated that the name of the board was just changed and now the City is excluding Parks projects and would like to know why.

Art Miner spoke as President of the WPDC, not as a representative of a consensus of the board. He stated that the WPDC had voted months ago to transfer this property to the City for the specific purpose of economic development. He would like to see a percentage of the money go back to the General Fund to take care of the parks.

Neil Cooper would like to see the City invest proceeds in additional Park lands.

Lindsey Neal, 6920 Cheatham Drive – would like the City to take the money to possibly develop a dog park.

City Manager Gardner briefed the Council on the background of the proposal to sell this land.

Following discussion, the Council directed Staff to proceed with the City Manager's recommendation to utilize property and funds for economic development purposes, excluding parks projects.

7. Consideration, discussion and direction on creating a Parks Advisory Board, declaring the purpose of the board, establishing membership numbers for the board and requiring bylaws be created by the board for Council approval

No one in the audience spoke on this agenda item.

It was the consensus of the Council to proceed with creating a Parks Advisory Board.

8. Consideration, discussion and direction on the City's Strategic Plan
There were no citizens' comments.

The City Manager reminded the Council about the workshops held in February.

Council agreed with the City Manager's recommendation on the City's Strategic Plan.

9. Consideration, discussion and direction on the FY 2020 Budget Priorities from Council as a follow up from the February 21, 2019 Workshop Meeting

Citizen's Comments:

Nelson Stoppiello wants to make sure Parks are part of the budget priorities.

City Manager Gardner reviewed the February 21st workshop and asked for Council's feedback by March 19th.

No action was taken.

10. Consideration and action on approving the creation of a City Manager's Workgroup for the purpose of completing the Comprehensive Plan Update

There were no citizens to address this item.

Ms. Gardner addressed this item with the City Council.

Council Member Snyder made the motion to authorize the establishment of a City Manager's Workgroup for the purpose of completing the Comprehensive Plan Update with an amendment to bring back a budget for funds to be spent.

The motion was seconded by Council Member Bush and passed unanimously:

AYES: Bush, Taylor, Clark, Griffin, Prescher, Snyder, Irving
NAYS: None
ABSENT: None
ABSTAIN: None

11. Consideration and action on approving amendments to Chapter 12, Fee Schedule, Section 12-30 regarding recreational fees.

There were no citizens to address this item.

Sandra Gibson, Director of Finance, addressed the Council on this item.

Sal Torres, Director of Parks and Recreation, answered questions from the Council.

Following discussion, Council Member Taylor made the motion to accept the fee changes effective April 1, 2019 with the amendment to look into a monthly fee option for fiscal year 2020.

The motion as seconded by Council Member Tom Snyder and passed unanimously:

AYES: Taylor, Snyder, Bush, Clark, Griffin, Prescher, Irving
NAYS: None
ABSENT: None
ABSTAIN: None

ORDINANCE NO. 1688

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTER 12 FEE SCHEDULE OF THE CODE OF ORDINANCES FOR THE CITY OF WATAUGA, TEXAS, PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

12. Consideration and action on approval of a 2.087% CPI rate increase requested by Waste Connections of Texas with an effective date of July 1, 2019

There were no citizens' comments on this item.

Deby Woodard, Assistant Finance Director, addressed the Council on this item. Mr. Marty Grant, District Manager with Waste Connections Lonestar, Inc. was present to answer questions from the Council.

Following discussion, Council Member Taylor made the motion to approve the 2.087% CPI rate increase requested by Waste Connections of Texas with an effective date of July 1, 2019.

The motion was seconded by Council Member Bush and passed with the following vote:

AYES: Taylor, Bush, Clark, Griffin, Snyder, Irving
NAYS: Prescher
ABSENT: None

ABSTAIN: None

ITEMS FOR FUTURE CITY COUNCIL MEETINGS

Council Member Taylor would like to see a discussion regarding lowering residential speed limits, a possible dog park, and the creation of Watauga Youth Advisory Council in the City.

EXECUTIVE SESSION

Council did not go into Executive Session on any item.

ADJOURNMENT

With no further business at hand, Mayor Pro Tem Griffin adjourned the Regular Meeting at 11:20 p.m.

APPROVED: this the 13th day of May, 2019

SIGNED: this 17th day of May, 2019

APPROVED:

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

ATTEST:

/s/ Terri Johnson
Terri Johnson, Interim City Secretary

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