

**MINUTES
WATAUGA CITY COUNCIL
REGULAR MEETING
MONDAY, APRIL 8, 2019
CITY HALL, COUNCIL CHAMBER, 7105 WHITELEY 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 (excused absence)
Council Member, Place 6	Mark Taylor
Council Member, Place 7	Kim Irving

and

Andrea Gardner, City Manager
Mark Daniel, City Attorney
Terri Johnson, Interim City Secretary
Robert Parker, Chief of Police
Shawn Fannan, Fire Chief
Paul Hackelman, Director of Public Works
Sal Torres, Director of Parks and Community Services
Marcia Reyna, Director of Human Resources/Civil Service
Lana Ewell, Library Director
Bradley Fraley, Chief Information Officer/PIO

INVOCATION

Mr. Kyev Tatum, representative of the Southern Christian Leadership Conference gave 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 reminded everyone of the Paws in the Park scheduled on April 20th.

DISCUSSION AND APPROVAL OF MEETING AGENDA

1. Consideration and action on approval of meeting agenda

Council Member Taylor made a motion to remove the following items from tonight's agenda:

New Business Item #10 – Consideration and deliberation regarding Criminal Complaint filed against the entire City Council

New Business Item #11 – Consideration, discussion and possible action on finding a solution as it pertains to crosswalks at local schools

New Business Item #12 – Consideration and discussion on providing ideas and suggestion to promote local businesses

New Business Item #13 – Consideration and discussion regarding financial expenditures by the City Manager that are under \$50,000 without any oversight

Council Member Prescher seconded the motion which failed as follows:

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

Mayor Pro Tem Griffin made a motion to move the Executive Session to just after Presentations Item #8. Council Member Bush seconded the motion, which failed as follows:

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

Mayor Pro Tem Griffin made a motion to approve the agenda as presented. Council Member Bush seconded the motion, which passed 5-1-1-0 as follows:

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

PRESENTATIONS

1. Presentation of Proclamation for Watauga Small Business Week – May 5-11, 2019

Mayor Pro Tem Griffin presented a Proclamation to Denise Wilkinson, Economic Development Specialist for Watauga Small Business Week.

2. Presentation of Proclamation to Famous Footwear for 15 Years of Business Service

Mayor Pro Tem Griffin presented a Proclamation to Famous Footwear in honor of 15 Years of Business Service in the City of Watauga.

3. Presentation of Proclamation to Lee Cleaners for 15 Years of Business Service

Mayor Pro Tem Griffin presented a Proclamation to Lee Cleaners in honor of 15 Years of Business Service in the City of Watauga.

4. Presentation of Proclamation to Schlotzsky's for 15 Years of Business Service

Mayor Pro Tem Griffin presented a Proclamation to Schlotzsky's in honor of 15 Years of Business Service in the City of Watauga.

5. Presentation of a Proclamation to Alliance for Children in honor of Child Abuse Prevention Month, April 2019

Mayor Pro Tem Griffin presented a Proclamation to Alliance for Children in honor of Child Abuse Prevention Month, April 2019.

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

Andrea Gardner, City Manager, presented a Service Award to City of Watauga employee Sarah Gianoli-Nyhus for celebrating an eight-year anniversary during the month of April 2019.

7. Presentation of Life Saving Awards to Lieutenant Robert Boettcher, Firefighters David Martinez, Justin Morris, William Hammond, Stephen Osborn and Jacob Flores

Fire Chief Shawn Fannan recognized the Firefighters who responded to a medical emergency at 6001 Ridgecrest Drive on February 26, 2019. He also recognized Kristian Lawry who was performing CPR on his mother, Mrs. Jose

Foley, when the Firefighters arrived on scene. He announced that the patient had recovered and introduced Mrs. Foley, who thanked everyone.

8. Presentation of Stone Hope Award to City of Watauga by Southern Christian Leadership Conference (SCLC) in honor of having one of the hottest and most affordable housing markets in the country since 2017.

Mayor Pro Tem Griffin, Council Member Snyder, Council Member Irving and Council Member Bush stepped to the podium and received the Stone of Hope Award presented to the City of Watauga by the Southern Christian Leadership Conference.

CITIZEN'S OPEN FORUM

Citizens addressing the City Council included:

Joyce Kirkpatrick, 6400 Community Court – expressed concerns about behavior on social media.

Lori Campagna, 6600 Brookdale Drive – expressed concern a hostile environment created in Watauga on social media and through text messages.

Chris Campagna, 6600 Brookdale Drive – thanked the Council for their leadership and expressed disappointment in the disrespectful actions toward each other and the rest of the City.

Donna Strickland, 5654 Cornwallis Court – thanked Council for moving forward with the Splash Pad.

Elise Strickland, 5654 Cornwallis Court – thanked Council for Splash Pad.

Karis Strickland, 5654 Cornwallis Court – concerned with strife and chaos seen with the City Council and audience.

Laney Strickland, 5654 Cornwallis Court – appreciate the Splash Pad plan to have shade.

Paul Hopkins, 7509 Meadowbrook Drive – expressed interesting words were used to kick off the meeting tonight with threats to have people removed. He stated that the City Secretary position will be hard to fill and he felt the public was first introduced to the City Manager with the housing issue and now others are coming around due to the work being done.

Kim Foster, 6505 Lampe Drive – asked Council to stop the things being said that are hurtful and which are destroying lives.

REPORTS

1. Update on the Watauga Animal Shelter's process as it pertains to care of animals and strays during after-hours

Sgt. Parham reviewed the after-hours procedures for Animal Control.

CONSENT AGENDA

Council Member Irving made a motion to accept the consent agenda as presented. The motion was seconded by Councilmember Taylor and passed 6-0-1-0 as follows:

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

1. Consideration and Approval of Monthly Financial Report for the period ending February 28, 2019
2. Consideration and approval of Letter of Engagement for Whitley Penn, LLP to perform the Fiscal Year 2018-2019 City of Watauga Independent Audit in an amount not to exceed \$53,000, representing the fourth and final renewal term for Proposal # 15-204
3. Consideration and approval of the job description and position profile for the position of City Secretary
4. Consideration approving water billing adjustments from North Richland Hills (NRH) due to water main break and subtraction meter failure and authorize the City Manager to approve modified payments as needed in the future

PUBLIC HEARING

Mayor Pro Tem Griffin recessed the Regular Meeting at 7:44 p.m. and opened the Public Hearing at 7:44 p.m.

1. Public Hearing to address Complaint 2019-01, 2019-02, and 2019-03

The Mayor Pro Tem called upon City Attorney Mark Daniel to elaborate on this item. Mr. Daniel stated that this was Council Member Prescher's item and the City Attorney had nothing to say in the public hearing, as his information was covered under Attorney/Client Privilege.

Speakers from the audience included:

Art Miner, 7757 Kelly Lynn Lane – wanted to know if the audience could see the complaints.

Donna Strickland talked about words reflect character and motive of individuals.

Council Member Prescher stepped to the podium and addressed the audience. He began reading his complaint.

After interruption from the audience, the City Attorney ruled that Mr. Prescher could continue to speak regarding his complaint.

Mayor Pro Tem Griffin informed Mr. Prescher that he had ten (10) minutes to finish reviewing his complaint.

Council Member Bush quoted from the Texas Election Code Sec. 2.054 and discussed a text message from Council Member Prescher.

The Mayor Pro Tem closed the Public Hearing at 8:07 p.m. and announced that Council would take a short recess.

The Regular Meeting was reconvened at 8:21 p.m. by Mayor Pro Tem Griffin.

UNFINISHED BUSINESS

1. Consideration and action to ratify the motion and vote on authorizing City staff to conduct an applicant search for purposes of filling the vacancy of City Secretary and authorizing City staff to contract with a qualified firm for interim City Secretary services until such time as the position of City Secretary is filled

There were no citizens' comments on this item.

City Manager Gardner stated this was just a ratification from the last meeting.

Council Member Taylor made the motion to ratify City Council's vote from the Special Meeting held on March 26, 2019 to authorize City staff to conduct an applicant search for purposes of filling the vacancy of City Secretary and authorizing City staff to contract with a qualified firm for interim City Secretary services until such time as the position of City Secretary is filled.

The motion was seconded by Mayor Pro Tem Griffin and passed 6-0-1-0 as follows:

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

ABSTAIN: None

2. Consideration and action to authorize City staff to contract with Texas First Group for Interim City Secretary services/duties until such time as the position of City Secretary is filled

There were no citizen comments on this item.

Council Member Irving made the motion to authorize City staff to contract with Texas First Group for Interim City Secretary services/duties until such time as the position of City Secretary is filled.

The motion was seconded by Mayor Pro Tem Griffin and passed 6-0-1-0 as follows:

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

NEW BUSINESS

1. Consideration and action to approve the appointment of Terri Johnson as Interim City Secretary

There were no citizen comments on this item.

Director of Human Resources/Civil Service Marcia Reyna stated that City Staff recommended that Council approve the appointment of Ms. Terri Johnson as Interim City Secretary.

Council Member Tom Snyder made a motion to approve the appointment of Terri Johnson as Interim City Secretary. The motion was seconded by Mayor Pro Tem Griffin and passed 6-0-1-0 as follows:

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

2. Discussion and approval on Community Development Block Grant (CDBG) 44th Year Dunson Drive and Dunson Court Wastewater System Improvements – Construction Bid Acceptance in the amount of \$196,189.74

There were no citizens who requested to speak on this item.

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

Council Member Taylor made a motion to accept the bid from Reytech Services, LLC for construction of the Dunson Drive and Dunson Court Wastewater System Improvements project in the amount of \$196,189.74. Watauga's pledge above and beyond Tarrant County's grant is \$41,189.74.

Council Member Prescher seconded the motion, which passed 6-0-1-0 as follows:

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

3. Consideration, discussion and possible action on the review of City Ordinance Sec. 40-208 through 40-211, as it pertains to trailers

Citizens' Comments:

Mrs. Barbara Martin, 6808 Richardson Drive – commented that the trailer parked in front of their home was a construction trailer for their heating/air conditioning business which they operate out of their home and the trailer was too large to park in their driveway. She stated that the notice they received stated they had an extreme recreational vehicle parked at their home.

Paul Hopkins commented that Watauga is a working-class city and the need of businesses to park job trailers on the street.

Watauga Police Chief Parker gave a background of this item and stated they were looking for Council direction. Chief Parker called on Sgt. James Parham to review the ordinance regarding Commercial Vehicles and Trailers.

Following discussion, Council Members Prescher and Snyder suggested that an ordinance amendment be brought back to the Council for consideration.

No action taken at this time.

4. Discussion and direction on over 65 discount eligibility for water and sewer services

Citizens' Comments:

Paul Hopkins commented that he is in favor of this discount.

City Manager Gardner spoke in absence of Finance Director Sandra Gibson who was attending a conference and not available. She introduced the agenda memorandum submitted by Ms. Gibson.

Following a lengthy discussion by the City Council, it was the consensus of Mayor Pro Tem Griffin, Council Member Irving, and Council Member Bush that the ordinance be amended to reflect that the discount eligibility for water and sewer services would include property owners and renters who are over 65 years of age, along with persons with disabilities that could be verified through the Tarrant Appraisal District (TAD). Council Members Taylor and Prescher did not want to include renters in the discounts, only home owners. Council Member Snyder agreed to include disabled as verified by TAD.

5. Consideration and action on approval of Grounds Maintenance Proposal #19-006 to MGLawn and Landscape, LLC for Options 1, 2, & 3

There were no citizens who addressed the Council on this item.

Jennifer Walls, Purchasing Agent and Deby Woodard, Assistant Finance Director reviewed this item with the Council. Ms. Woodard stated that the cost of this proposal was less than previously charged.

City Manager Gardner explained the process for request for proposals (RFP).

Following discussion, Council Member Snyder made the motion to approve the Grounds Maintenance Proposal #19-006 to MGLawn and Landscape, LLC for Options 1, 2, & 3.

The motion was seconded by Council Member Irving and passed 6-0-1-0 as follows:

AYES: Snyder, Irving, Griffin, Prescher, Bush, Taylor

NAYS: None

ABSENT: Clark

ABSTAIN: None

6. Consideration and action on a resolution to declare the procedures that support the City Charter language regarding communications with City staff that report to the City Manager

There were no citizens' comments on this item.

Council Member Taylor explained his request to have this item placed on the agenda.

Following discussion, Council Member Taylor made the motion to adopt Resolution #19-04-08-01. The motion died for lack of a second.

Council Member Prescher suggested two small changes to the wording on Section F to add local elections and Section I to copy City Manager on emails.

The motion to approve Resolution #19-04-08-01 with the stated changes proposed was made by Council Member Prescher and seconded by Mayor Pro Tem Griffin. The motion failed 3-3-1-0 as follows:

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

City Manager Gardner gave a brief background on this item and stated that she agreed with the suggested changes by Council Member Prescher.

The motion to approve Resolution #19-04-08-01 with two changes previously proposed by Council Member Prescher (Section F to add local elections and Section I to include the City Manager with such contact), along with changing the word "private" to "direct" in Section D. The motion was seconded by Mayor Pro Tem Griffin.

The motion passed 6-0-1-0 as follows:

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

**CITY OF WATAUGA
RESOLUTION #19-04-08-01**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WATAUGA TO DECLARE THE PROCEDURES THAT
SUPPORT THE CITY CHARGER LANGUAGE REGARDING
COMMUNICATIONS WITH CITY STAFF THAT REPORT TO
THE CITY MANAGER; 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**

7. Consideration and action on approving a Standard Operating Procedure for City Council Access to City Hall

No citizens spoke on this item.

City Manager Gardner addressed this item with the City Council.

Following discussion, the motion was made by Council Member Taylor to accept the Standard Operating Procedure (SOP) for City Council Access to City Hall.

Council Member Prescher seconded the motion which passed 6-0-1-0 as follows:

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

8. Consideration and action on a resolution approving the City of Watauga Strategic Plan for FY 2019-2020

No one from the audience addressed this item.

City Manager Gardner reported that this was the final form for the 2019-2020 Strategic Plan.

Council Member Prescher made the motion to adopt Resolution #19-04-08-02 approving the City of Watauga Strategic Plan for FY 2019-2020.

The motion was seconded by Council Member Irving and passed 6-0-1-0 as follows:

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

**CITY OF WATAUGA, TEXAS
RESOLUTION NO. 19-04-08-02**

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS ADOPTING THE STRATEGIC PLAN FOR THE FISCAL YEAR 2019-2020; 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.

9. Consideration and action on appointing two members of the City Council to serve on the City Manager's Workgroup for the purposes of updating the City's Comprehensive Plan

No one in the audience addressed this item.

The City Manager reviewed the plans for the Workgroup and asked for Council representation.

Following discussion, Council Member Prescher made the motion to appoint Council Member Mark Taylor and Council Member Tom Snyder to the City Manager's Workgroup for the purposes of updating the City's Comprehensive Plan.

The motion was seconded by Council Member Snyder and passed 5-1-1-0 as follows:

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

10. Consideration and deliberation regarding Criminal Complaint filed against the entire City Council

Citizen's Comments:

Chris Campagna asked how a criminal complaint was filed against the entire City Council.

Council Member Bush explained why she asked this item to be placed on the agenda. She reported that the District Attorney dismissed the complaint.

City Attorney Daniel addressed this complaint that suggested a serious Texas Open Meeting Act (TOMA) violation.

Council Member Irving stated she was puzzled why it is filed against everyone and asked if the individual was lacking attention. She stated she wasn't hurt by it.

Council Member Prescher explained why he filed the complaint with the DA's office.

Following discussion, no action was taken on this item.

11. Consideration, discussion and possible action on finding a solution as it pertains to crosswalks at local schools

No one in the audience addressed this item.

Mayor Pro Tem Griffin discussed the extreme need for school crossing guards and Police Chief Parker reviewed the current situation at the schools. Parker announced that currently there are 14 positions allotted with 6 vacancies. The Chief announced that an evaluation was currently being made of each school crossing that was slated for a crossing guard. There is one crossing guard at every school.

Following a brief discussion, no action was taken on this item.

12. Consideration and discussion on providing ideas and suggestions to promote local businesses

Citizens' Comments:

Paul Hopkins commented that the City does a pretty good job now of promoting local businesses.

Jan Hill, 6444 Westridge – commented that she was a member of the WEDC and felt it is very important that Council and the residents attend the anniversary events at local businesses.

Art Miner, President of Watauga Economic Development Corporation commented that he agreed with Council Member Taylor that this was an inappropriate agenda item for the Council meeting.

Mayor Pro Tem Griffin explained why he placed this item on the agenda. He stated that many local businesses had concerns about the lack of togetherness in our community. Everybody's ideas were needed.

City Manager Gardner addressed Council Member Bush's comments about the issues during construction on Rufe Snow and its impact on businesses along Rufe Snow.

Following discussion by the City Council, no action was taken on this item.

13. Consideration and discussion regarding financial expenditures by the City Manager that are under \$50,000 without any oversight

Citizens' Comments:

Paul Hopkins stressed that oversight was needed on anything over \$5,000.

Council Member Bush explained that she added this item because she wondered how much had been spent under \$50,000 for consultants and studies.

Council Member Prescher requested the City Manager explain the process. Ms. Gardner explained that she presents a budget to the City Council each year. She reported that there was oversight on every expenditure through the budget process.

Following Council discussion, no action was taken on this item.

ITEMS FOR FUTURE CITY COUNCIL MEETINGS

There were no items presented for future City Council meetings.

The Regular meeting was recessed at 10:36 p.m. and Council went into Executive Session.

EXECUTIVE SESSION

The City Council will convene in executive session pursuant to (Texas Open Meetings Act), Chapter 551 of the Texas Government Code, Section 551.074 Personnel Matters, and Section 551.071 Consultation with Attorney, which allows the following:

1. To discuss and provide feedback with regard to the annual performance evaluation of Andrea Gardner, City Manager
2. To provide an update with regard to the Criminal Complaint filed against City Council and City Council Interactions

RECONVENE

The Regular meeting was reconvened at 11:34 p.m.

DISCUSSION AND ACTION AS A RESULT OF THE EXECUTIVE SESSION DELIBERATING THE FOLLOWING:

1. To discuss and provide feedback with regard to the annual performance evaluation of Andrea Gardner, City Manager
2. To provide an update with regard to the Criminal Complaint filed against City Council and City Council Interactions

Mayor Pro Tem Griffin made a motion to take no action at this time on Executive Session Items 1 and 2. The motion was seconded by Council Member Taylor and passed 6-0-1-0 with the following vote:

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

ADJOURNMENT

With no further business at hand, Mayor Pro Tem Griffin adjourned the Regular Meeting at 11:39 p.m.

APPROVED: this the 13th day of May, 2019

SIGNED: this the 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