

**MINUTES
WATAUGA CITY COUNCIL
REGULAR MEETING
MONDAY, JULY 25, 2016
CITY HALL, COUNCIL CHAMBER, 7105 WHITLEY ROAD
6:30 P.M.**

The City Council of the City of Watauga, Texas convened in Regular Session at 6:34 p.m., with the following members present:

Hector F. Garcia	Mayor
Hal Gerhardt	Mayor Pro Tem
Lee Griffin	Council Member
James Wright	Council Member
Melva Clark	Council Member
Patrick Shelbourne	Council Member
Robert Davis	Council Member

and

Greg Vick	City Manager
Mark G. Daniel	City Attorney
Zolaina R. Parker	City Secretary
Sandra Gibson	Director of Finance and Administration, CGFO
Paul Hackleman	Public Works Director
Glen Fowler	Police Chief
Randy Barkley	Battalion Chief
Marcia Reyna	Human Resources/Civil Service Director
Sal Torres	Parks and Community Services Director
Lana Ewell	Library Director
Jacquelyn Reyff	Planning and Development Manager
Bradley Fraley	Chief Information Officer

with

Council Member Brandon Krausse, absent with notice.

COUNCIL MEETING

CALL TO ORDER

Mayor Garcia called the meeting to order at 6:34 p.m.

INVOCATION

Mayor Garcia gave the Invocation.

PLEDGE TO THE FLAG AND TEXAS FLAG

Mayor Garcia led the pledge to the flags.

DISCUSSION AND APPROVAL OF MEETING AGENDA

1. Discussion and action on approval of meeting agenda

Council Member Davis made a motion to approve the consent agenda by moving Consent Item Number 6 to New Business Number 6. Council Member Clark seconded the motion, which passed as follows:

AYES: Gerhardt, Griffin, Wright, Clark, Shelbourne, Davis
NAYS: None
ABSENT: Krausse
ABSTAIN: Garcia

CITIZEN'S OPEN FORUM

None.

REPORTS

1. Finance and Administration – Monthly Financial Report – expenses and revenues for all funds for the period ending on June 30, 2016

Sandra Gibson, Director of Finance and Administration, CGFO, provided the Finance and Administration – Monthly Financial Report – expenses and revenues for all funds for the period ending on June 30, 2016

2. Planning and Development – Quarterly update on Economic Development

Jacquelyn Reyff, Planning and Development Manager, provided the Planning and Development – Quarterly update on Economic Development.

CONSENT AGENDA

Council Member Wright made a motion to approve the agenda as presented. Mayor Pro Tem Gerhardt seconded the motion, which passed as follows:

AYES: Gerhardt, Griffin, Wright, Clark, Shelbourne,
NAYS: Davis
ABSENT: Krausse
ABSTAIN: Garcia

1. Approval of Quarterly Investment Report for the last quarter, Fiscal Year 2015-16 through June 30, 2016
2. Approval of City Council Regular Meeting Minutes of June 20, 2016

3. Approval of City Council Special Meeting Minutes of July 7, 2016
4. Approval of a proposed resolution eliminating Sections 27.1, 27.2, 27.3, 27.4, 27.5, 27.6, 27.7, 27.8, 27.9, 27.10 and 27.11 replacing with policy 14.01 and eliminating Sections 27.12 and replacing with policy 14.03 of the City of Watauga Personnel, Administration and Financial Policies and Procedures Manual [CAPTION]

The resolution as approved carries the following caption:

CITY OF WATAUGA, TEXAS
RESOLUTION NO. 16-07-25-01

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS ELIMINATING SECTIONS 27.1 THROUGH 27.11 OF THE CITY OF WATAUGA PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL EFFECTIVE FEBRUARY 24, 2014 (HEREINAFTER "2014 MANUAL") AND REPLACING THOSE SECTIONS WITH POLICY SECTION 14.01 OF THE MANUAL WHICH PROCESS BEGAN APRIL 27, 2015 (HEREINAFTER "2015 MANUAL"); ELIMINATING SECTION 27.12 OF THE 2014 MANUAL AND REPLACING THE SAME WITH SECTION 14.03 OF THE 2015 MANUAL; 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

5. Approval of Bid #:15-024 renewal of Financial Audit Services with Whitley Penn, LLP
6. Acceptance of the Fiscal Year 2016-17 Watauga Parks Development Corporation Budget as adopted by the Watauga Parks Development Corporation Board of Directors; and setting a Public Hearing on the proposed budget for August 29, 2016 at 6:00 p.m., during a Special City Council Meeting
(Moved to New Business Number 6)

PUBLIC HEARING

1. Planning and Zoning Case 16-04: Request for a zoning change from LB-Local Business to GB-General Business; and a Specific Use Permit (SUP) for Take 5 Oil Change, a proposed Auto, repair garage (light maintenance-oil change) at 7060 Denton Highway, legally described as Lot 1, Block 1, Westward Village Shopping Center Addition, located on the southeast corner of Denton Highway and Hightower Drive. Kimberly Banks, VRE Denton, LLC, owner, Take 5 Oil Change, LLC, applicant.
 - a. Open Public Hearing

Mayor Garcia recessed the Regular Meeting 7:04 p.m. and opened the Public Hearing. Jacquelyn Reyff, Planning and Development Manager, presented Case 16-04.

b. Public Comments

Tony Dalton, 5708 Hightower, Watauga, Texas, owner of Tony's Express Lube and Wash, addressed the Council regarding his existing business and his reasons for requesting the Council not approve Case 16-04.

Representatives for Take 5 Oil Change, LLC applicant, presented information regarding the proposed business of Take 5 Oil Change.

c. Close Public Hearing

Mayor Garcia closed the Public Hearing at 7:39 p.m., and reconvened the Regular Meeting at 7:39 p.m.

2. Planning and Zoning Case 16-07: Request for a Specific Use Permit (SUP) for El Pollo Loco, a proposed Restaurant with drive-thru at 7900 Denton Highway, legally described as Lot 1, Block 2, Northpark Village Addition, located on the northeast corner of Denton Highway and North Park Drive. The property is zoned GB-General Business. Sultan Shamim and Sultan Manzurul, owners; Vaquero Ventures, applicant.

a. Open Public Hearing

Mayor Garcia recessed the Regular Meeting 7:39 p.m. and opened the Public Hearing. Jacquelyn Reyff, Planning and Development Manager, presented Case 16-07.

b. Public Comments

Kevin Mattson, Representative for El Pollo Loco, applicant, presented information regarding the proposed business of El Pollo Loco.

c. Close Public Hearing

Mayor Garcia closed the Public Hearing at 7:39 p.m., and reconvened the Regular Meeting at 7:45 p.m.

NEW BUSINESS

1. Discussion and action on an ordinance approving a request for a zoning change from LB-Local Business to GB-General Business; and a Specific Use Permit (SUP) for Take 5 Oil Change, a proposed Auto, repair garage (light maintenance-oil change) at 7060

Denton Highway, legally described as Lot 1, Block 1, Westward Village Shopping Center Addition, located on the southeast corner of Denton Highway and Hightower Drive; also known as Planning and Zoning Case 16-04 [CAPTION]

Council Member Clark made a motion to deny the request for a zoning change from LB-Local Business to GB-General Business; and a Specific Use Permit (SUP) for Take 5 Oil Change, a proposed Auto, repair garage (light maintenance-oil change) at 7060 Denton Highway, legally described as Lot 1, Block 1, Westward Village Shopping Center Addition, located on the southeast corner of Denton Highway and Hightower Drive; also known as Planning and Zoning Case 16- 04. Mayor Pro Tem Gerhardt seconded the motion, which passed as follows:

AYES: Gerhardt, Griffin, Wright, Clark, Shelbourne, Davis
NAYS: None
ABSENT: Krausse
ABSTAIN: Garcia

2. Discussion and action on an ordinance approving a request for a Specific Use Permit (SUP) for El Pollo Loco, a proposed Restaurant with drive-thru at 7900 Denton Highway, legally described as Lot 1, Block 2, Northpark Village Addition, located on the northeast corner of Denton Highway and North Park Drive; also known as Planning and Zoning Case 16-07 [CAPTION]

Mayor Pro Tem Gerhardt made a motion to approve an ordinance approving a request for a Specific Use Permit (SUP) for El Pollo Loco, a proposed Restaurant with drive-thru at 7900 Denton Highway, legally described as Lot 1, Block 2, Northpark Village Addition, located on the northeast corner of Denton Highway and North Park Drive; also known as Planning and Zoning Case 16-07. Council Member Clark seconded the motion, which passed as follows:

AYES: Gerhardt, Griffin, Wright, Clark, Shelbourne, Davis
NAYS: None
ABSENT: Krausse
ABSTAIN: Garcia

The ordinance as approved carries the following caption:

CITY OF WATAUGA, TEXAS
ORDINANCE NO. 1623

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS APPROVING A SITE PLAN AND GRANTING A SPECIFIC USE PERMIT IN PLANNING AND ZONING CASE 16-07 PURSUANT TO SECTION 15-33 OF THE CODE OF ORDINANCES OF THE CITY OF WATAUGA, TEXAS; PROVIDING THAT

ALL ORDINANCES IN CONFLICT HEREWITH ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

3. Discussion and action on approval of Bid #:16-026- Library Books and Media Discount

Council Member Wright made a motion to approve Bid #:16-026- Library Books and Media Discount. Council Member Davis seconded the motion, which passed as follows:

AYES: Gerhardt, Griffin, Wright, Clark, Shelbourne, Davis
NAYS: None
ABSENT: Krausse
ABSTAIN: Garcia

4. Discussion and action on approval of an ordinance amending the Fiscal Year 2015-16 Budget, to include additional appropriations for various funds in an amount of \$558,500 [CAPTION]

Council Member Wright made a motion to approve an ordinance amending the Fiscal Year 2015-16 Budget, to include additional appropriations for various funds in an amount of \$558,500. Council Member Shelbourne seconded the motion, which passed as follows:

AYES: Gerhardt, Griffin, Wright, Clark, Shelbourne, Davis
NAYS: None
ABSENT: Krausse
ABSTAIN: Garcia

The ordinance as approved carries the following caption:

CITY OF WATAUGA, TEXAS
ORDINANCE NO. 1624

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS THAT APPROVES APPROPRIATIONS IN THE 2015-2016 FISCAL YEAR'S BUDGET PER SECTION 102.010 OF THE LOCAL GOVERNMENT CODE, PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

5. Discussion and action on approval of a resolution by the City Council of the City of Watauga, Texas, authorizing and approving publication of Notice of Intention to Issue Certificates of Obligation; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date [CAPTION]

Council Member Griffin made a motion to approve a resolution authorizing and approving publication of Notice of Intention to Issue Certificates of Obligation; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date. Council Member Shelbourne seconded the motion, which passed as follows:

AYES: Gerhardt, Griffin, Wright, Clark, Shelbourne, Davis
NAYS: None
ABSENT: Krausse
ABSTAIN: Garcia

The resolution as approved carries the following caption:

CITY OF WATAUGA, TEXAS
RESOLUTION NO. 16-07-25-02

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AUTHORIZING AND APPROVING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12; AND PROVIDING AN EFFECTIVE DATE

6. Acceptance of the Fiscal Year 2016-17 Watauga Parks Development Corporation Budget as adopted by the Watauga Parks Development Corporation Board of Directors; and setting a Public Hearing on the proposed budget for August 29, 2016 at 6:00 p.m., during a Special City Council Meeting
(Moved from Consent Number 6)

Council Member Wright made a motion to accept the Fiscal Year 2016-17 Watauga Parks Development Corporation Budget as adopted by the Watauga Parks Development Corporation Board of Directors; and set a Public Hearing on the proposed budget for August 29, 2016 at 6:00 p.m., during a Special City Council Meeting. Council Member Griffin seconded the motion, which passed as follows:

AYES: Gerhardt, Griffin, Wright, Shelbourne, Davis
NAYS: Clark
ABSENT: Krausse
ABSTAIN: Garcia

EXECUTIVE SESSION

The City Council may announce that it will adjourn the public meeting and convene in Executive Session pursuant to Chapter 551 of the Texas Government Code to discuss any matter as specifically listed on this agenda and/or as permitted by Chapter 551 of the Texas Government Code.

Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, at 8:22 p.m., Mayor Hector F. Garcia announced that the City Council will convene in Executive Session (closed session) in the Council Chamber Conference Room, 7105 Whitley Road.

1. The City Council will convene in Executive Session pursuant to Chapter 551 of the Texas Government Code (Texas Open Meetings Act), Section 551.076, Deliberations Regarding Security Devices or Security Audits, which does not require a governmental body to conduct an open meeting to deliberate (1) the deployment, or specific occasions for implementation, of security personnel or devices; or (2) a security audit

ITEM OF EXECUTIVE SESSION DELIBERATION:

1. Strategy and implementation of Phase I - Security and Safety Plan
2. The City Council will convene in Executive Session pursuant to Chapter 551 of the Texas Government Code (Texas Open Meetings Act), Section 551.087 regarding Economic Development, to (1) deliberate commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1); and pursuant to Section 551.072 regarding Real Property, to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

ITEM OF EXECUTIVE SESSION DELIBERATION:

1. Economic development opportunity at the north end of Capp Smith Park, adjacent to Starnes Road

RECONVENE

The City Council returned to open session at 9:26 p.m., in the City Council Chamber for possible discussion and action as a result of the Executive Session as follows:

1. Strategy and implementation of Phase I - Security and Safety Plan

No action was taken by Council.

2. Economic development opportunity at the north end of Capp Smith Park, adjacent to Starnes Road

Council Member Wright made a motion to take no action. Council Member Shelbourne seconded the motion, which passed as follows:

AYES: Gerhardt, Griffin, Wright, Clark, Shelbourne, Davis
NAYS: None
ABSENT: Krausse
ABSTAIN: Garcia

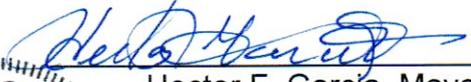
ADJOURNMENT

With there being no further business, Mayor Garcia adjourned the meeting at 9:28 p.m.

APPROVED: this 15th day of August, 2016.

SIGNED: this 15th day of August, 2016.

APPROVED:



Hector F. Garcia, Mayor

ATTEST:



Zolaina R. Parker, City Secretary



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