

HEWITT TEXAS

MINUTES OF A CITY COUNCIL WORKSHOP/REGULAR MEETING HEWITT CITY HALL – 200 PATRIOT COURT July 2, 2018 – 6:30 PM/7:00 PM

Members present: Mayor Ed Passalugo (presiding), Mayor Pro Tem Steve Fortenberry, Council Members, Wilbert “Walky” Wachtendorf, Bill Fuller, James Vidrine, Travis Bailey, and Kurt Krakowian

Staff present: City Attorney Charlie Buenger, City Engineer Miles Whitney, City Manager Adam Miles, Police Chief Jim Devlin, Assistant Police Chief Tuck Saunders; Fire Chief Lance Bracco, Managing Director Katie Allgood, Finance Director Lee Garcia, Community Development Director Tracy Lankford, Utilities Director Kevin Reinke, and City Secretary Lydia Lopez

Staff absent: Library Director Waynette Ditto

WORKSHOP – 6:30 PM

1. Mayor Ed Passalugo called the meeting to order at 6:30 PM.
2. City Manager presented updates on municipal business:
 - a. **Report from City Engineer**
 - b. Briefing and discussion concerning Budget Calendar.
 - c. Briefing and discussion concerning Capital Improvement Projects list.
 - d. City Manager presentation concerning Preliminary FY 2018-2019 Annual Budget.
 - e. **Briefing and discussion concerning changes to market related to recycled materials.**
 - f. **Briefing and discussion concerning Public Safety operations – Police & Fire.**
 - g. Request for Budget Meeting Workshop to do a line item budget (requested by Ed Passalugo).
 - h. Discuss placing cameras in the council chambers to live stream future meetings (requested by Ed Passalugo).

NOTE: Only items a, e, and f were discussed. The Workshop reconvened after the Regular Meeting.

3. Review of regular meeting agenda. (Not held)
4. *A motion was made by Council Member Bill Fuller and second by Council Member Travis Bailey to convene the Executive Session at 6:47 PM pursuant to the Open Meetings Act, Chapter 551, Texas Government Code to discuss the following:*
 - **Pursuant to §551.072 – Purchase, Exchange, Lease, or Value of Real Property.**

- **Pursuant to §551.071 (1) (A) – Consultation with Attorney regarding pending or contemplated litigation.** – This section not held.
5. Close Executive Session. *A motion was made by Bill Fuller and second by Council Member Travis Bailey to close the Executive Session at 6:53 PM, all seven in favor, motion passed.*
 6. Adjourn.

REGULAR MEETING – 7:00 PM

1. **CALL TO ORDER.** Mayor Ed Passalugo called the meeting to order at 7:00 PM.
2. **PLEDGE OF ALLEGIANCE TO THE U.S. FLAG** – Mayor Ed Passalugo asked City Attorney Charlie Buenger to lead the Pledge of Allegiance.
3. **CONSIDER APPROVAL OF MINUTES OF THE CITY COUNCIL WORKSHOP AND REGULAR MEETING OF JUNE 4, 2018 AND SPECIAL CALLED MEETING OF JUNE 21, 2018.** *A motion was made by Council Member James Vidrine and second by Council Member Travis Bailey to approve the minutes as submitted but allow for corrections; all seven in favor, motion passed.*
4. **PRESENTATION BY MIKE ADAMS AND JERRY HOWARD REGARDING IMPROVEMENTS AND REPAIR OF BRIARFIELD STREET.** Mr. Adams appeared to request Council consider paving, curbing and guttering of Briarfield Street. Mayor Ed Passalugo stated that the City Engineer had been to out to make a preliminary cost estimate for Council's review.
5. **HEAR VISITORS ON MATTERS PERTAINING TO CITY BUSINESS.** *Under the Texas Open Meetings Act, the Council is prohibited from discussing, responding, or acting on any comments or items that have not been properly posted on the agenda.*

Dr. Erica Bruce, 717 Fieldstone, stated that she had been attending Council meetings and workshops for the last year and witnessed discriminating, demeaning, and intimidating actions towards the two women who file complaints as well as other women on city staff by Mayor Ed Passalugo, and Council Members Kurt Krakowian and James Vidrine. Dr. Bruce also noted violations by Mayor Passalugo of the Texas Open Meetings Act through copies of emails she received through an open records request. She also stated Council Member Kurt Krakowian's actions at the Council meeting of May 21, 2018, were meant to single out, shame, chastise, and intimidate the complainant thereby creating a hostile work environment. She noted that Council Member Kurt Krakowian's post on Facebook and newspaper editorials were causing additional liability to the City and costing taxpayer dollars. She called on Mayor Ed Passalugo and Council Member Kurt Krakowian to resign.

Maggie Wilson, 308 Castleman Creek Road, expressed concern regarding professionalism of Council due to articles written in the newspaper and pay increases for salaried employees and non-salaried employees. She charged the Council to be responsible with tax payer money when working on the budget.

Michael Zahirniak, Detective with Hewitt Police Department, appeared to express concern regarding raises, stated all employees need raises, and asked Council Member Kurt Krakowian to apologize to Code Enforcement Officer regarding an article written a couple years ago calling him “Barney Fife”.

John Tucker, President of Hewitt Police Association, expressed concern with employee morale and retention, and requested the Council consider compensation and raises for all employees during their budget discussions.

Sharon Chandler, 701 Regina Drive, complimented Fire and Police departments, suggested training for Council to avoid discriminating and belittling people, better Council diversity, and expressed concern with a tax increase proposal. She asked to meet her Council representative. Ms. Chandler further suggested no property tax increase unless it is absolutely necessary and requested more communication for those interested in attending council meetings.

No one else appeared.

6. **CONSIDER AND TAKE APPROPRIATE ACTION TO APPOINT COUNCIL COMMITTEE TO REWRITE THE COUNCIL RELATIONSHIP POLICY AND CODE OF ETHICS, AS REQUESTED BY ED PASSALUGO.** Mayor Ed Passalugo noted items that were in violation of the Texas Open Meetings Act which needed to be revised. Council Member Steve Fortenberry stated that he would like to comment on the Ethics and reiterated that his concerns were not related to the pending complaints filed or the criminal investigation. He stated, “The Waco Trib published an article yesterday that contain information they received in an open records request for all Hewitt City Council members. In the information obtained referenced one of your emails which stated, “This is funny but true...” Due to the extreme vulgar, disgusting and vile references you made about women in your email, out of respect for the ladies in this audience, I am not going to repeat that portion of your email. If any Hewitt Department Head, Mr. Miles, Chief Devlin, Chief Bracco or any employee were to have sent this email in City Business as you have, you would insist that individual be fired or told to resign. By you sending this disgusting, revolting & demeaning email and saying it is “Funny but true” is a double standard based on your own personal ethics. By saying it’s funny but true is simply why we don’t need this chauvinistic, backward thinking and hurtful type leadership in our Council. In summary Mr. Mayor, I am again calling for your immediate resignation tonight as Hewitt City’s Mayor and off this Council completely.”

“Mr. Krakowian, Your ethics and the manner you have conducted yourself is not what we represent on this Council, nor our City. Your request to have all City information sent through our City Attorney Charlie Buenger is unacceptable. This is an additional cost to

our tax payers. This is not being conservative with the people's tax dollars. Not being able to communicate or be respectful to our City Manager Adam Miles is unacceptable and is not how this Council conducts business. Requesting that City Employees and Council Members not email you but only send you hard copies is not how we operate City business. This afternoon, we received an email stating you changed your mind and will now accept emails from City Employees and City Council. The timing of this request is suspect as per the Trib's article yesterday. Running your own agenda needs to stop tonight. I am requesting you resign your Council position immediately. At this time, I am yielding the floor back to you, Mr. Mayor."

Mayor Ed Passalugo stated that the email noted was not on city business and it was a chain email on his personal email. He further stated the email should not have been forwarded to the Waco Trib.

Council Member James Vidrine noted that Attorney Julia Gannaway advised that the Code of Ethics written in 2004 needed to be updated. No action was taken.

7. **AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN MIDWAY INDEPENDENT SCHOOL DISTRICT.** City Manager Adam Miles presented. Council Member Wilbert "Walky" Wachtendorf expressed concern with voting on this agreement prior to Council approving the FY 2018-2019 budget. *A motion was made by Council Member Bill Fuller and second by Council Member Wilbert "Walky" Wachtendorf to table; all seven in favor, motion passed.*
8. **DISCUSSION, CONSIDERATION AND POSSIBLE APPROVAL OF ACQUISITION, AND PAYMENT FOR ACQUISITION OF INTERESTS IN LAND FOR THE RITCHIE ROAD IMPROVEMENT PROJECT, PARCELS 9, 9E, AND 9TE, KIZER, ET AL.** *A motion was made by Council Member James Vidrine and second by Council Member Steve Fortenberry to approve; all seven in favor, motion passed.*
9. **ADJOURN.** *A motion was made by Council Member Bill Fuller and second by Council Member Travis Bailey to adjourn the regular meeting at 7:41 PM; all seven in favor, motion passed.*

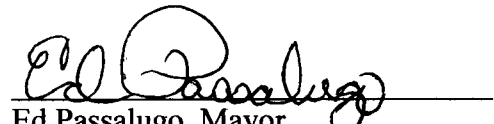
Mayor Ed Passalugo reconvened the Workshop at 7:50 PM to discuss the following:

City Manager presentation concerning Preliminary FY 2018-2019 Annual Budget.
Following the City Manager's presentation, the Council began discussion on line item budgets. Police Chief Jim Devlin presented his budget and responded to Council questions regarding line item expenses and departmental needs.

Mayor Ed Passalugo stated the line item budget discussions would continue at the July 16, 2018 Council meeting due to the lateness of the hour. There being no further discussion, the meeting adjourned at 10:21 pm.

Approved: July 16, 2018


Lydia Lopez, City Secretary


Ed Passalugo, Mayor