

HEWITT TEXAS

CITY COUNCIL MEETING AGENDA

December 17, 2018
Regular Meeting – 7:00 PM
CITY HALL, 200 PATRIOT COURT
HEWITT, TX 76643

MAYOR AND CITY COUNCIL

Ed Passalugo – Mayor, Ward 3

Steve Fortenberry – Mayor Pro Tem, Ward 3

Travis Bailey – Council Member, Ward 1

Wilbert Wachtendorf – Council Member, Ward 1

Bill Fuller – Council Member, Ward 2

James Vidrine – Council Member, Ward 2

Vacant – Council Member At-Large

CITY STAFF

Jim Devlin, Acting City Manager/Police Chief

Michael W. Dixon, City Attorney

Miles Whitney, City Engineer

Lydia Lopez, City Secretary

Katie Allgood, Managing Director

Lee Garcia, Finance Director

Lance Bracco, Fire Chief

Waynette Ditto, Library Director

Kevin Reinke, Utilities Director

Tracy Lankford, Community Dev. Director

Tuck Saunders, Assistant Police Chief

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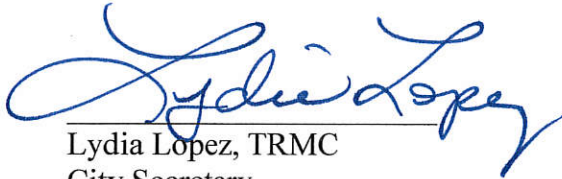
NOTICE OF MEETING OF THE GOVERNING BODY

Notice is hereby given that a **Regular** meeting of the governing body of the City of Hewitt will be held on the **17th day of December, 2018, at 7:00 PM in Hewitt City Hall, Council Workshop Room/Council Chambers, 200 Patriot Court**, Hewitt, Texas, at which time the following subjects will be discussed and possible action taken:

1. Called to meeting to order.
2. Pledge of Allegiance to the U.S. Flag
3. Consider approval of minutes of the Special Called Meeting of December 4, 2018, and the Special Called Meeting of December 5, 2018.
4. 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.*
5. **Executive Session:** A closed meeting will be held pursuant to *Section 551.074 of the Government Code (V.C.T.A)* so that the City Council can deliberate the appointment, employment, and duties of the position of City Manager.
6. Reconvene Regular Meeting.
7. Discussion and possible action on approval of City Manager Agreement between the City of Hewitt, Texas and Everett "Bo" Thomas, III.
8. Consideration and action on authorizing the City Attorney to provide a report and information regarding employee complaints made against one or more City Councilpersons in 2018; on past City practices; organizational structure of the City and its historical development; concerns raised by information reviewed; and matters relevant to any of the foregoing.
9. As to employee complaints regarding City Council members from May 2018 forward—approval of the waiver of the exception provided by §552.103 of the *Texas Public Information Act* for the employee complaints only; and authorizing the City Attorney to include those complaints in his report.
10. Authorizing the City Attorney to include information in the Report that may include correspondence between a City employee or official and the former City Attorney, but only to be extent necessary to support the Report.
11. Authorizing the City Attorney to include in the Report information from interviews conducted by the Gannaway firm.
12. Adjourn.

I, the undersigned authority, do hereby certify that the above notice of meeting of the governing body of the City of Hewitt, Texas was posted on the Public Notice Board located in front of City Hall at 4:30 AM/PM on December 14, 2018.

CITY OF HEWITT



Lydia Lopez, TRMC
City Secretary

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: December 17, 2018

AGENDA ITEM #: 3

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider approval of minutes of the Special Called Meeting of December 4, 2018, and a Special Called Meeting of December 5, 2018.

STAFF RECOMMENDATION/ITEM SUMMARY:

Attached is a draft copies of the meeting minutes. Please review and advise if any corrections are needed.

ATTACHMENTS:

Draft minutes

HEWITT TEXAS

MINUTES OF A CITY COUNCIL SPECIAL CALLED MEETING HEWITT CITY HALL – 200 PATRIOT COURT December 4, 2018 – 7:00 PM

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

Staff present: City Attorney Mike Dixon, Acting City Manager/Police Chief Jim Devlin, Assistant Police Chief Tuck Saunders; Fire Chief Lance Bracco; Community Development Director Tracy Lankford, Managing Director Katie Allgood, Library Director Waynette Ditto, Finance Director Lee Garcia, Utilities Director Kevin Reinke, and City Secretary Lydia Lopez

1. **CALL TO ORDER.** Mayor Ed Passalugo called the meeting to order at 7:00 PM.
2. **Executive Session:** Mayor Ed Passalugo recessed the Regular Meeting at 7:01 PM to convene a closed meeting which was held pursuant to *Section 551.074 of the Government Code (V.C.T.A)* so that the City Council can deliberate the appointment, employment, and duties of the position of City Manager and interview potential candidate(s).
3. **CLOSE EXECUTIVE SESSION.** Mayor Ed Passalugo closed the executive session at 8:46 PM.
4. Mayor Ed Passalugo reconvened the Regular Meeting at 8:51 PM.
5. Discussion and action, if any, on appointing a City Manager subject to negotiation of an acceptable contract. Mayor Pro Tem Steve Fortenberry expressed concern with the process and selection of the city manager position; also inquired as to why there was no citizen input on the agenda; concerns with transparency, and suggested a panel of city employees, citizens and Council to assist with the selection of the city manager. City Attorney Mike Dixon explained that this was just presented as an option and agreed to the need for transparency. Council Member Bill Fuller stated that he was concerned with employee morale, the time required to select a search committee and the overall process. *Council Member James Vidrine stated, “I’ll make a motion that subject to an acceptable contract that we hire Mr. Bo Thomas for the City of Hewitt City Manager position.” The motion was seconded by Council Member Wilbert “Walky” Wachtendorf, five in favor, one (Fortenberry) opposition, motion passed.* Mayor Ed Passalugo also called for a voice vote. Fuller –aye; Bailey – yes; Vidrine – yes; Wachtendorf – yes, Passalugo – yes, Fortenberry – no.

6. ***Executive Session:*** A closed meeting will be held pursuant to *Section 551.071 of the Government Code (V.C.T.A)* so that the City Council can seek and receive advice and counsel from their attorneys regarding actual or threatened litigation; settlement of claims; legal powers and restrictions, and possible legal exposure; and matters required to be kept confidential by the professional rules which govern the attorney: Texas Workforce Commission charges. **NOT HELD.**
7. Discussion and action, if any, on threatened or pending litigation. **(NO ACTION OR DISCUSSION.)**
8. Adjourn. *A motion was made by Council Member Travis Bailey and second by Council Member Bill Fuller to adjourn the meeting at 9:05 PM, all six in favor, motion passed.*

Approved: December 17, 2018

Lydia Lopez, City Secretary

Ed Passalugo, Mayor

HEWITT TEXAS

**MINUTES OF A CITY COUNCIL
SPECIAL CALLED MEETING
HEWITT CITY HALL – 200 PATRIOT COURT
December 5, 2018 – 7:00 PM**

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

Staff present: City Attorney Mike Dixon, Acting City Manager/Police Chief Jim Devlin, Assistant Police Chief Tuck Saunders; Fire Chief Lance Bracco; Community Development Director Tracy Lankford, Library Director Waynette Ditto, Finance Director Lee Garcia, and Utilities Director Kevin Reinke,

Staff absent: Managing Director Katie Allgood and City Secretary Lydia Lopez

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 Executive Director of the Greater Hewitt Chamber of Commerce Alissa Cady to lead the Pledge of Allegiance.
3. **CONSIDER APPROVAL OF MINUTES OF THE CITY COUNCIL WORKSHOP & REGULAR MEETING OF NOVEMBER 19, 2018.** *A motion was made by Council Member Wilbert “Walky” Wachtendorf and second by Council Member Travis Bailey to approve the minutes as presented but to allow for corrections; all six in favor, motion passed.*
4. **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.*

Elli Harris-Mevis, 167 Topaz Circle, addressed the Council concerning the omission of the hearing of visitors and transparency.

Michael Bancale, 909 Stoneridge Drive, addressed the Council concerning the importance of citizens being heard; stated he looked forward to hearing the truth with regards to the findings of all investigations; and the Council getting back to handling the business of the city.

Approved: December 17, 2018

Lydia Lopez, City Secretary

Ed Passalugo, Mayor

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ITEM #4 – HEARING OF VISITORS

PROCEDURES FOR CITIZEN PARTICIPATION AT MEETINGS

1. Citizens are encouraged to discuss matters of concern with the staff and individual council members prior to placing items on the agenda. This will allow the matter to be properly investigated before it is presented to the entire council and will often expedite a resolution.

NO CITIZEN OR STAFF MEMBER MAY SPEAK OR OTHERWISE INTERRUPT ANY MEETING UNTIL RECOGNIZED BY THE PRESIDING OFFICER.

2. To maintain decorum at public hearings, the mayor will ask citizens in attendance if they wish to speak for or against the item on the agenda. If so, they will be given an opportunity to speak at the proper time and when recognized by the chair. If more than five citizens wish to address the council on any single agenda item, those citizens are advised to select a spokesperson to present their case.
3. Only under the agenda item “Hear Visitors” are citizens permitted to speak regarding matters that pertain to city business or address an item on the agenda. **The council is prohibited by law from discussing or acting on any item that has not been posted on the agenda.**
4. Individual citizens that discuss items not listed on the agenda shall be limited to **five minutes**. If five or more citizens wish to discuss a single item or topic that is not listed on the agenda, then the total presentation will be limited to a maximum of twenty-five minutes. City council members shall **not** enter into discussion on any subject that has not been properly placed on the agenda; however, council members may ask questions for clarification purposes.
5. As a general rule, citizens may not participate or address the council or staff during the workshop session.

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.