



**MINUTES OF A CITY COUNCIL  
REGULAR MEETING  
HEWITT CITY HALL – 200 PATRIOT COURT  
December 17, 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; Managing Director Katie Allgood, Community Development Director Tracy Lankford, Library Director Waynette Ditto, and Utilities Director Kevin Reinke and City Secretary Lydia Lopez

**Staff absent:** Finance Director Lee Garcia

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 Michael Bancale to lead the Pledge of Allegiance.
3. **CONSIDER APPROVAL OF MINUTES OF THE SPECIAL CALLED MEETING OF DECEMBER 4, 2018, AND THE SPECIAL CALLED MEETING OF DECEMBER 5, 2018.** *A motion was made by Council Member James Vidrine and second by Council Member Travis Bailey to approve the minutes as presented but to allow for corrections; all six in favor, motion passed. Note:* Before the vote, Mayor Pro Tem Steve Fortenberry noted that a portion of the Hear Visitors were missing (Page 2 of 3). City Secretary noted error and advised that the missing page was inadvertently not scanned into packet.
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.*

Michael Bancale, 909 Stoneridge Drive, expressed appreciation to those who serve in the military for giving citizens the freedom to speak, in particular, Council Member Travis Bailey’s son and suggested all citizens remember their responsibility to civility and providing factual information when given the opportunity to speak.

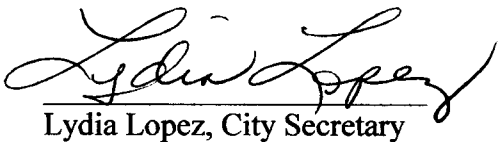
Lisa Corbett, 618 Park Meadows Drive, appeared to request assistance with speeding in the area. She suggested a speed limit sign or speed bumps. Police Chief Jim Devlin asked her to meet with him after the meeting.

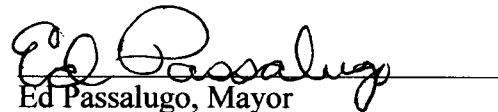
Kurt Krakowian, 804 Pebble Creek Circle, congratulated incoming Council Member Dr. Erica Bruce and suggested with respect to agenda items 8 and 9 that all information be released to the public. No one else appeared.

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. **NOT HELD.**
6. **RECONVENE REGULAR MEETING. (No Executive Session was held.)**
7. **DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF CITY MANAGER AGREEMENT BETWEEN THE CITY OF HEWITT, TEXAS AND EVERETT “BO” THOMAS, III.** City Attorney Mike Dixon presented the major points of the agreement. Mayor Pro Tem Steve Fortenberry expressed concern with voting on the agreement because it was not placed in the packet prior to the Council meeting. He further suggested that the item be tabled for further discussion. City Attorney Mike Dixon explained that he did not feel it was appropriate to publish the agreement as Mr. Thomas was still employed. Council Member Bill Fuller also expressed concern with voting on the contract hastily. *A motion was made by Council Member Wilbert “Walky” Wachtendorf and seconded by Council Member Travis Bailey to take a recess to give Mayor Pro Tem Fortenberry time to read the contract; four voted in favor (Vidrine, Wachtendorf, Bailey, and Passalugo), two opposed (Fuller and Fortenberry).* A brief recess was taken. Mayor Ed Passalugo reconvened the meeting. *A motion was made by Council Member Wilbert “Walky” Wachtendorf and a second by Council Member James Vidrine to approve the contract; five in favor (Fuller, Vidrine, Bailey, Wachtendorf, and Passalugo), one opposed (Fortenberry), motion passed.*
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.** City Attorney Mike Dixon presented. *A motion was made by Council Member James Vidrine and second by Council Member Wilbert “Walky” Wachtendorf to approve; all six voted in favor, motion passed.*

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.** City Attorney Mike Dixon presented. *A motion was made by Council Member James Vidrine and second by Council Member Travis Bailey to approve; all six voted in favor, motion passed.*
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.** Mayor Pro Tem Steve Fortenberry expressed concern of the liability of a law suit with approval of this item as there is a separation agreement in place. Mayor Pro Tem Steve Fortenberry requested itemized billing from City Attorney Mike Dixon. *A motion was made by Council Member James Vidrine and second by Council Member Wilbert “Walky” Wachtendorf to approve; five voted in favor (Fuller, Vidrine, Bailey, Wachtendorf, and Passalugo), one opposed (Fortenberry), motion passed.*
11. **AUTHORIZING THE CITY ATTORNEY TO INCLUDE IN THE REPORT INFORMATION FROM INTERVIEWS CONDUCTED BY THE GANNAWAY FIRM.** Mayor Pro Tem Steve Fortenberry expressed concern with City Attorney Mike Dixon presenting a report on this item as he was not present nor working for the City during those interviews. City Attorney Mike Dixon advised that the he was able to obtain the recordings of the individual interviews. *A motion was made by Council Member Travis Bailey and second by Council Member Vidrine to approve; four in favor (Vidrine, Bailey, Wachtendorf, and Passalugo); two opposed (Fuller and Fortenberry), motion passed.*
10. **ADJOURN.** *A motion was made by Council Member Bill Fuller and second by Council Member Travis Bailey to adjourn the meeting at 7:46 PM, all six in favor, motion passed.*

Approved: January 7, 2019

  
Lydia Lopez, City Secretary

  
Ed Passalugo, Mayor