



**City of Whitewright  
City Council  
Regular Meeting**  
Whitewright Visitor Center  
111 W. Grand  
March 5, 2019, 6:30 p.m.  
**MINUTES**

The City Council of Whitewright met for a Regular Meeting on Tuesday, March 5, 2018 at 6:30 p.m. in the Whitewright Visitors Center, the same being open to the public with the following member present:

<b>Mayor</b>	<b>Jamie Lawrence</b>
<b>Councilmember</b>	<b>Sarah Owen</b>
<b>Councilmember</b>	<b>Bart Bodine</b>
<b>Councilmember</b>	<b>Rick Magers</b>
<b>Councilmember</b>	<b>Randy Glover</b>
<b>Councilmember</b>	<b>George Fenner</b>

*Others in attendance: Tona Shippet, Gwyn Jordan, David Perkins, Beverly Bearden, Randy Bearden, Gary Hicks, Lynn Williams, Brandon Latimer, Shonda Latimer, Russell Ponder, Will Ratledge, Ronnie Card, Rebekah Card, Traci Barr, Charles Brady, Jenifer Norell, James Shippet, Jack Bartley, Kenneth Franklin, Vicky Franklin, Tonya Slack, Joel Slack, Dwayne Henderson, June Gail Purdom, John Simon, Rebekah Fenner, Suzy Sauls, Eric Prindle, Linda Jester, Tracy Lewis, Laura Freer, Lance Freer, Jake Hartline, Brandi Robinson, Holly Green, Aaron Green, Chris Ely, John Kelley, Jennifer Kelley, Trinity Huffman, Jeremy Huffman, Suni Kiser, Officer Green, James Tidwell, Harmon Wood, Michael Taylor*

**1. CALL TO ORDER** – Call to order by the Mayor.  
*Mayor Lawrence called the meeting to order at 6:32.*

**2. INVOCATION** – Kenneth Franklin  
*Invocation given by Kenneth Franklin*

**3. PLEDGE OF ALLEGIANCE**  
*Pledge given*

**4. ROLL CALL**

Jamie Lawrence – Mayor	Sarah Beth Owen-Present	Bart Bodine-Present
Rick Magers-Present	Randy Glover – Mayor Pro-Tem-Present	George Fenner-Present

*Councilmember Randy Glover called for point of order to state and determine which agenda was to be followed; the one that was posted on Friday evening around 6:15 p.m. or the one emailed on Saturday evening around 6:49 p.m.*

**8.2 Consider and Act** on City Secretary Tona Shippet claim of Hostile Work Environment, Retribution and Discrimination and proposed personnel action from previously scheduled Executive Session.

*Mayor entertained for a motion. Councilmember Randy Glover made the motion in 4 parts: 1. Dismiss the City Secretary effective immediately. 2. Appoint Gwyn Jordan as Interim City Secretary until a replacement can be found. 3. Direct the Mayor and Gwyn Jordan to set up a handover meeting as soon as practical and when this vote is effective that Tona Shippet is to handover her keys, passwords, property and any documents she may have. 4. Direct Mayor to recruit a qualified candidate for this position and present to Council for their approval.*

*Councilmember Rick Magers seconded. Mayor called for a vote.*

*Councilmember Randy Glover then asked for division by assembly by a vote of yea or nay.*

*Councilmember Owen voted no,*

*Councilmember Bodine stated before voting of his concerns of the City Secretary's performance and not being able to have a quorum to conduct business, he voted yes,*

*Councilmember Rick Magers voted yes,*

*Councilmember Randy Glover voted yes,*

*Councilmember George Fenner was excused during this discussion due to family connections.*

**5. CITIZEN FORUM** – (State law prohibits the City Council from considering or deliberating on any item not listed on the posted City Council agenda. A person may address the Council on items not on the printed agenda. Comments are limited to three (3) minutes. The Council may provide factual information or provide existing City policy information in response to the inquiry or propose to place the subject on the agenda for a future meeting. Sec. 551.042 of Open Meetings Act).

*John Simon – Spoke regarding city leadership regarding the hiring Court Clerk*

*James Shiptet – Spoke regarding EMS department issues*

*Harmon Wood – Spoke regarding taking the power away from the Council to Mayor*

*Lynn Williams – Spoke regarding who is in charge if Mayor was out of town and the Mayor Pro-Tem were both gone, and a disaster was to occur.*

*Russell Ponder – Spoke regarding the overall dismay of how the city is being run*

*June Gail Purdom – Spoke regarding on how we all need to be getting along and working together to benefit the city*

**6. CONSENT AGENDA** (All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be **no separate discussion** of these items unless a Councilmember requests an item be removed and considered separately.)

*Councilmember Owen made a motion the financial report and the police department report be removed from the consent agenda,*

*Councilmember George Fenner second*

*Councilmember Glover made a motion to approve the consent agenda with the removal of the finance report and the police department report*

*Councilmember Owen second.*

*Passed 5-0*

**6.1 \*To approve bills** paid in February, 2019 [Except for transaction # 13053 in the amount of \$21.16 to Whitewright Automotive which is Action Item 8.2]

*Councilmember Magers made a correction to 6.1 that it refers to Action Item 8.2 and it should be 8.1.*

**6.2 \*To review Ad Valorem** taxes received for the month of January, 2019

**6.3 \*Approve Minutes**

\* a. January 8, 2019

\* b. February 5, 2019

\* c. February 15, 2019

\* d. February 19, 2019

**6.4 \*Report from Fire Department – Chief Dwayne Henderson** Incident County, Incident Type, Statistics, Responding Personnel, Grants, and equipment maintenance.

**6.5 \*Report from Library Director – Chris Ely**

Library statistics

**6.6 \*Report from Public Works Director – Brandon Latimer**

Leaks, New Well Construction, Wastewater Plant, Wells, Towers, Meters

**6.7 \*Report from Water Utility Clerk – Brandi Robinson**

Number of customers, delinquencies, number of new customers

**6.8 \*Report from Police Department – Chief Rick Webber**

Fuel Consumption, citations issued, crime data report.

*Councilmember Glover made a motion to approve the Police Report and we put on the agenda next month to discuss the purchase of a computer from Municipal Court fund.*

*Councilmember Owen second*

*Passed 5-0*

**6.9 \*Municipal Court Report – Brandi Robinson**

Monthly Fines and Court Costs received and Monthly Statistics

**6.10 \*Report from EMS Department –**

Number of runs, fuel consumption, repairs to ambulance, February 2019 EMS Employee Changes

### 6.11 \*Financial Reports – Tona Shiplet

Current financial reports. **NOTE:** A refund of late payment fees totaling over \$4000.00 is in process. As we are a municipality the bills should have been Net 30.

*Councilmember Owen questions:* \*Refund building permit fee – answer Larry Francis  
\*Payments to a trucking company as well as oil, would like to know what roads were repaired with this material – answer Mayor Lawrence deferred to Brandon for answer. Rock was used by Daycare 2 loads, hauled another load to level Farley St. using Pot Hole patcher with Oil on Farley, Carter (needs again), Locust, Echols, Spruce.  
Cleaning Service for City Hall –  
Tidwell Services 22,000 in attorney fees since May 2018 Already spent over the 10,000 budgeted this year and we are only 5 months into this year

*Councilmember Glover made a motion to approve the financial reports*

*Councilmember Magers seconded*

*Passed 5-0*

6.12 \*4A current financial reports. Current Bills/Statement of Revenue and Expenditures

6.13 \*4B current financial reports. Current Bills/Statement of Revenue and Expenditures

### 7. Report from Mayor – Jamie Lawrence

#### Dates of upcoming events:

March 11 - 4B

March 11-15 - WISD Spring Break

March 12 - Chamber of Commerce

March 16 - Chamber sponsored 1<sup>st</sup> annual Whitewright Spring Picnic and Easter Egg Hunt

March 18 - 4A

March 20 - Court

### 8. ACTION ITEMS

8.1 Consider and Approve payment of Transaction #13053 in the amount of \$21.16 to Whitewright Automotive for December invoice.

*Councilmember Fenner made a motion to discuss,*

*Councilmember Owen seconded. No action was taken*

*Councilmember Glover made a motion to postpone until further deliberation,*

*Councilmember Owen second*

*Passed 4-0*

8.2 Consider and Act on City Secretary Tona Shiplet claim of Hostile Work Environment, Retribution and Discrimination and proposed personnel action from previously scheduled Executive Session.

*Moved to beginning of meeting. See notes above.*

8.3 Consider and approve the submission of a Texas Department of Transportation Safe Routes to School Project Application with Hayter Engineering.

*Councilmember Glover made the motion to approve SRST grant application and accept Hayter*

*Engineering at engineering firm,*

*Councilmember Owen second,*

*Passed 5-0*

8.4 Consider and Select Engineer for 2019 Whitewright Wastewater Treatment Plant Rehabilitation Project; KSA Engineers and Premier Engineering/Surveying responded to the RFQ.

*Councilmember Fenner made the motion to accept KSA Engineering to be the engineer for the 2019 Whitewright Wastewater Treatment Plant Rehabilitation Project,*

*Councilmember Bodine second*

*Passed 5-0*

8.5 Review and Act on Annexation Documents by Charles Brady with Linebarger Goggan Blair & Sampson, LLP.

*Councilmember Owen made the motion to accept Charles Brady's presentation regarding this matter,*

*Councilmember Bodine second,*

*Passed 5-0*

8.6 Consider and approve addition of Disclosure Statements to the City's website to comply with State Law regarding Conflicts of Interests.

*Councilmember Owen made a motion to discuss,*

*Councilmember Fenner second.*

*Councilmember Fenner made the motion that if it follows state law that the statements be posted on the website,*

*Councilmember Owen second,*

*Passed 5-0.*

- 8.7 Consider and Act** on Repeal of Ordinance No. 532; establishing an organizational chart for municipal operations. If repealed new ordinance will be numbered 532A.

*Councilmember Owen made a motion to open for discussion,*

*Councilmember Fenner seconded.*

*Councilmember Glover made the motion to adopt the Ordinance 532A to repeal Ordinance 532,*

*Councilmember Bodine second*

*Passed 3-2*

- 8.8 Review of Donation Policy;** amend as necessary for eligible Departments.

*Councilmember Owen made a motion to open for discussion,*

*Councilmember Bodine seconded.*

*Councilmember Glover made a motion to postpone indefinitely the donation policy until a*

*proposed policy for review was presented, Councilmember Magers seconded, tie vote 2-2*

*Mayor voted to support motion. passed 3-2*

- 8.9 Consider and Approve** requirement that all City Employees, Councilmembers and Mayor be required to use an @whitewright.com email for all city business.

*Councilmember Owen made a motion that all city employees use a @whitewright.com email for city business,*

*Councilmember Fenner seconded, motion*

*Passed 5-0*

- 8.10 Consider and Discuss** policy for all city employment vacancies.

*Councilmember Owen made a motion for Councilmember Glover to write a proposal motion died no second,*

*Councilmember Glover made a motion to postpone 8.10 until we get a policy in place, no second, motion dies.*

- 8.11 Consider and Act** on Job description and posting of open EMS Director position.

*Councilmember Owen made a motion that we approve the EMS Director be posted.*

*Councilmember Fenner made a motion to discuss,*

*Councilmember Bodine second. Councilmember Glover made a motion to post the EMS Director position (withdrawn) Councilmember Owen made the motion to approve the EMS*

*Director job be posted for eligible applicants to apply,*

*Councilmember Fenner second, motion*

*Passed 5-0*

- 8.12 Consider and Discuss** Sex Offender residency restrictions; Review previous ordinance and court ruling to provide instructions for drafting an updated ordinance.

*Councilmember Owen made a motion to discuss,*

*Councilmember Fenner second.*

*Councilmember Owen made a motion to submit to Attorney Tidwell for review and placed on future agenda to approve ordinance, Councilmember Glover second,*

*Passed 5-0*

- 8.13 Consider, Review, and Discuss** current City Sign Ordinance and instructions for drafting an updated ordinance; conflicts with State Law.

*Councilmember Owen made motion to discuss,*

*Councilmember Fenner second,*

*Councilmember Owen made a motion to have attorney to address content and size errors in our ordinance,*

*Councilmember Fenner second,*

*Passed 5-0*

- 8.14 Consider and Act** on amending Ordinance 30-25 of the Code of Ordinances City of Whitewright Texas to allow for catch and release fishing at the Whitewright Historical Nature Park 'Duck Pond' for persons age 18 and under. Persons age 12 and under must be accompanied by an adult age nineteen (19) or older.

*Councilmember Owen made a motion to postpone amending Ordinance 30-25 until Parks and Wildlife can be contacted to see if there are any restrictions.*

*Councilmember Bodine second,*

*Passed 5-0*

- 8.15 Consider and Act** on amending Ordinance 44-97 of the Code of Ordinances City of Whitewright Texas to add definitions for Building and Dwelling and remove the word 'house' and add the word building.

*Councilmember Magers made a motion to discuss,*

*Councilmember Fenner second.*

*Councilmember Owen made the motion to amend Ordinance 44-97 of the Code of Ordinances City of Whitewright Texas to add definitions for Building and Dwelling and remove the word 'house' and add the word building,*

*Councilmember Fenner second ...further discussion motion amended*

*Councilmember Owen made the motion to have Interim City Secretary, Gwyn Jordan to pull the folder and file from health department and forward to TML for review to amend the ordinance by next agenda,*

*Councilmember Fenner second,*

*Passed 5-0*

**8.16 Review** of NIBRS Project by Police Chief before council.

*No action taken.*

**8.17 Update Council** on FY 2018 Audit preparation and Auditors recommendations from FY2016 and FY2017 completed audits.

*Councilmember Glover made a motion to postpone this item until next month.*

*Councilmember Bodine second.*

*Passed 5-0*

**8.18 Consider and Discuss** location for Playground Equipment; Install and explore Volunteer options.

*Councilmember Owen made a motion to discuss,*

*Councilmember Fenner second.*

*Councilmember Magers made the motion to table this until more information could be obtained.*

*Councilmember Fenner volunteered to get some information on what to do to move forward and head up this project.*

*Councilmember Glover second*

*Passed 5-0*

## **9. EXECUTIVE SESSION**

*No Executive Session was needed. Mayor announced that Rhonda Hicks had given her resignation and was no longer interested in working for the City of Whitewright*

The City Council will convene in closed session pursuant to the provisions of the Open Meeting Law, Chapter 551, Government Code. Consultation with attorney, Section 551.071, and

Executive Session as authorized by Texas Government Code 551.074, Personnel Matters; to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

**9.1** Court Clerk – Rhonda Hicks

END EXECUTIVE SESSION

## **10. RECONVENE**

Reconvene into regular session and consider action, if any, on items discussed in Executive Session.

**10.1** Court Clerk – Rhonda Hicks

## **11. ADJOURN**

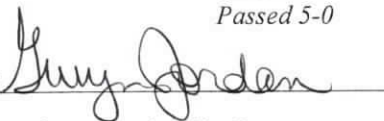
*8:39*

*Councilmember Glover made the motion to adjourn*

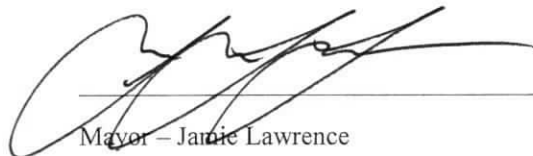
*Councilmember Bodine second*

*Passed 5-0*

Attest:



Gwyn Jordan – Interim City Secretary



Mayor – Jamie Lawrence