

**MINUTES OF THE SPECIAL  
CITY COUNCIL MEETING  
JANUARY 23, 2020**

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**NOTICE OF ATTENDANCE:**

**NOTICE is hereby given that the Parks and Recreation Advisory Board may be in attendance at the City Council Meeting January 23, 2020 being held at the Fate City Hall, 1900 CD Boren Parkway, Fate, Texas.**

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**1. CALL TO ORDER AND CONFIRM A QUORUM**

Mayor Burger called the meeting of the Fate City Council to order at 6:00 p.m. on the 23<sup>rd</sup> day of January, 2020, in the Fate City Hall 1900 CD Boren Parkway, Fate, Texas.

City Secretary Victoria Raduechel confirmed the presence of a quorum.

**Council Members Present:**

Joe Burger, Mayor  
Tamara Fisher  
Lance Megyesi  
Ian Fields  
Allen Robbins, Deputy Mayor Pro Tem  
David Billings, Mayor Pro Tem  
John Hamilton

**Council Members Absent:**

None

**City Staff Present:**

Michael Kovacs, City Manager  
Justin Weiss, Assistant City Manager  
Victoria Raduechel, City Secretary  
Lyle Lombard, Director of Public Safety  
Scott Monaghan, Director of Public Works  
Raju Anthony, Director of Finance  
Steve Gilbert, Director of Community Services and Building Safety  
Will Rugeley, Director of Planning and Development Services  
Melissa Cranford, Assistant City Attorney

**2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE AMERICAN AND TEXAS FLAGS**

Chief Lombard, Director of Public Safety gave the invocation, after which the Council led the Pledge of Allegiance to the American and Texas Flags.

### **3. PUBLIC COMMENT**

This Is An Opportunity For The Public To Address The Council On Any Matter, Except Public Hearings That Are Included On The Agenda. Comments Related To Public Hearings Will Be Heard When The Specific Hearing Begins. Public Comments Are Limited To Three (3) Minutes Per Speaker, Unless Otherwise Required By Law. To Address The Governing Body, Each Speaker Must Complete A Public Comment Form And Present The Completed Form To The City Secretary Prior To The Start Of The Meeting. Each Speaker Shall Approach The Podium And State His/Her Name And Address Before Speaking. Speakers Shall Address The Governing Body With Civility That Is Conducive To Appropriate Public Discussion. Speakers Can Address Only The Governing Body And Not Individual City Officials Or Employees. The Public Cannot Speak From The Gallery But Only From The Podium. Per The Texas Open Meetings Act, The Governing Body Is Not Permitted To Take Action On Or Discuss Any Item Not Listed On The Agenda. The Council May: (1) Make A Statement Of Fact Regarding The Item; (2) Make A Recitation Of Existing Policy Regarding The Item; Or (3) Propose The Item Be Placed On A Future Agenda.

There was no one present wishing to speak.

### **4. CONSENT AGENDA**

A. Approval Of Minutes Of The Council Meeting Held January 6. 2020.

B. Approval Of Financial Report For December 2019.

C. Approval Of Quarterly Investment Report For The Quarter Ending December 31, 2019.

D. Approval Of Travel Expenses Associated With Attending Texas Municipal League (TML) Newly Elected City Officials' Workshop.

E. Approval Of Resolution No. R-2020-005 - Ordering The General Election To Be Held On Saturday, May 2, 2020, For The Purpose Of Electing Two (2) Council Members, (Places 2 And 3), To The Fate City Council To Hold Office For A Period Of Three Years; Designating The Polling Place; Designating Filing Deadlines; Providing For A Runoff Election; Providing For Notice Of Election; And Providing An Effective Date.

Council Member Megyesi made a motion to approve the consent agenda, as presented.

Council Member Hamilton seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fisher, Megyesi, Fields, Robbins, Billings, and Hamilton.

Nays: None

Mayor Burger declared the motion carried unanimously.

## 5. ACTION ITEMS

### A. Discuss, Consider, And Take Any Necessary Action Regarding The Park Adjacent To Harry Herndon Intermediate School.

Kimber Patterson, Chairman of the Parks and Recreation Advisory Board, made a presentation on the Park adjacent to Harry Herndon Intermediate School reviewing the timeline of events related to said Park. Ms. Patterson explained the Parks and Recreation Advisory Board would like to see the park built and further explained if the Council would like to take the park to the voters for a bond in the May 2020 election, the deadline to order the election will be the February 3, 2020 Council Meeting. City Manager Michael Kovacs, Director of Community Services and Building Safety Steve Gilbert, and Assistant to the City Manager/Deputy City Secretary Jessica Larson assisted Ms. Patterson in answering questions from the Council related to the proposed phases of development and costs for the park, the bond amount, and costs associated with bond issuance.

Council Member Billings made a motion to direct City staff and the parks and Recreation Advisory Board to come back with a recommendation for the amount of a bond to be called in the May 2020 election and any associated package.

Council Member Hamilton seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fisher, Megyesi, Robbins, Billings, and Hamilton.

Nays: None

Abstain: Council Member Fields

Mayor Burger declared the motion carried.

### B. Discuss, Consider, And Take Any Necessary Action Regarding The Procedures For The Appointment Of The Municipal Judge For The City Of Fate Municipal Court.

City Manager Michael Kovacs provided a brief overview of the agenda item reporting Judge Natalie Banuelos resigned her position as the Municipal Court Judge effective January 10, 2020 to take a position with the City of Garland as Municipal Court Judge. Paul J. Liston is the Associate Judge for the Fate Municipal Court and is ready to assist in the Court until a replacement Municipal Judge appointment is made. Mr. Kovacs explained the Council can appoint a Judge for the remainder of the unexpired term.

Council Member Billings requested an Executive Session to receive legal advice regarding this agenda item. There was no objection to Council Member Billings request.

**EXECUTIVE SESSION: IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, SECTION 551.001, ET SEQ., THE CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION (CLOSED MEETING) TO DISCUSS THE FOLLOWING:**

January 23, 2020 Council Meeting Minutes

Page 3 of 8

A. In Accordance With Texas Government Code, Section 551.071, Consultation With Attorney On A Matter In Which The Duty Of The Attorney To The Governmental Body Under The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas Clearly Conflicts With The Texas Open Meetings Act:

1. To receive legal advice regarding the procedures for the appointment of the Municipal Judge for the City of Fate Municipal Court.

The item was read and Mayor Burger recessed the meeting at 6:46 p.m. and convened Executive Session at 6:46 p.m.

**RECONVENE INTO REGULAR SESSION: IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, CHAPTER 551, THE CITY COUNCIL WILL RECONVENE INTO REGULAR SESSION TO CONSIDER ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION.**

The Executive Session was adjourned at 6:59 p.m. and Mayor Burger reconvened the meeting of the City Council at 7:01 p.m.

Council Member Billings requested when the Council considers the appointment of the Municipal Court Judge for the two-year term to take that process into executive session under Section 551.074- Personnel Matters, to conduct interviews with the Candidates in executive session. City Manager Michael Kovacs estimated that will take place around July.

Paul Liston introduced himself and provided a brief overview of his experience with the City of Fate Municipal Court. Mr. Liston provided the Council with a copy of his resume and recommended Jeff Beltz be considered for appointment as Associate Judge of the Fate Municipal Court.

Jeff Beltz introduced himself and provided a brief overview of his professional background. Mr. Beltz spoke favorably of Paul Liston and recommended he be considered for appointment as Judge of the Fate Municipal Court.

Council Member Billings made a motion to accept the resignation of Judge Natalie Banuelos.

Council Member Robbins seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fisher, Megyesi, Fields, Robbins, Billings, and Hamilton.

Nays: None

Mayor Burger declared the motion carried unanimously.

Council Member Billings made a motion to appoint Paul Liston as Judge of the Fate Municipal Court for the unexpired term expiring in 2020.

Council Member Robbins seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fisher, Megyesi, Fields, Robbins, Billings, and Hamilton.

Nays: None

Mayor Burger declared the motion carried unanimously.

Council Member Billings made a motion to direct staff to place on the next City Council meeting agenda an ordinance to appoint a Municipal Judge for the unexpired term and an ordinance to appoint an Associate Judge for the unexpired term.

Council Member Hamilton seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fisher, Megyesi, Fields, Robbins, Billings, and Hamilton.

Nays: None

Mayor Burger declared the motion carried unanimously.

#### C. Discuss, Consider, And Take Any Necessary Action Concerning The Fiscal Year 2021 Budget Process.

Mayor Burger reported he requested this agenda item and he reviewed with the Council the following budget schedule:

##### Survey has started:

NCS survey has started for the hand written portion.

- Survey sent out to 1700 homes.
- Random sample sent out to Fate homes similar to last year's survey.
- On-line survey starts on February 24, 2020.
- Survey results will be returned to the City in April.
- Results will be reviewed at the April 20, 2020 meeting.

##### March 23, 2020:

Milestone Workshop:

- Review the work done by City staff to address the milestones created recently.
- Review costs associated with achieving those milestones.
- Make adjustments to the milestones, as needed.

Financial Review:

- The budget parameters will be reviewed at this workshop.
- Where are we this year?
- Where do we want to be with the next budget?
- How do we get there?
- Updated 5-year financial forecast.

Initial Budget Workshop Session:

- Outline of milestones and goals.
- Suggestions from departments as it relates to next year's budget.
- Expectations of the next budget from Council members.
- Concrete direction from Council on budget goals.

In April, Set dates for May and June Budget Workshops:

- May and June workshops put in place to hear plans from each department for the upcoming year.
- Town Hall meetings scheduled by Council Members to review the budget with all those interested.

Assistant City Manager Justin Weiss answered questions from the Council related to the citizen survey during Mayor Burgers review of the budget schedule.

**6. MAYOR, COUNCIL, AND CITY MANAGER REPORTS**

Regarding Items Of Community Interest – Pursuant To Texas Government Code Section 551.0415 The Mayor, Council And City Manager May Report On The Following Items: (1) Expression Of Thanks, Congratulations Or Condolences; (2) Information About Holiday Schedules; (3) Recognition Of Individuals; (4) Reminders About Upcoming City Council Events; (5) Information About Community Events; (6) Announcements Involving Imminent Threat To Public Health And Safety.

A. Mayor's Report

Mayor Burger had nothing to report.

B. Council Reports

Members of the Council had nothing to report.

C. City Manager's Report

City Manager Michael Kovacs reported the following meetings/events:

- City Council Meeting – February 3, 2020 at 6:00 p.m.

**7. EXECUTIVE SESSION: IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, SECTION 551.001, ET SEQ., THE CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION (CLOSED MEETING) TO DISCUSS THE FOLLOWING:**

A. In Accordance With Texas Government Code, Section 551.071, Consultation With Attorney On A Matter In Which The Duty Of The Attorney To The Governmental Body Under The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas Clearly Conflicts With The Texas Open Meetings Act:

1. To Receive Legal Advice Regarding A Social Media Policy

The item was read and Mayor Burger recessed the meeting at 7:18 p.m. and convened Executive Session at 7:25 p.m.

**8. RECONVENE INTO REGULAR SESSION: IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, CHAPTER 551, THE CITY COUNCIL WILL RECONVENE INTO REGULAR SESSION TO CONSIDER ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION**

The Executive Session was adjourned at 8:15 p.m. and Mayor Burger reconvened the meeting of the City Council at 8:17 p.m.

Action taken on items discussed in Executive Session was as follows:

7A. In Accordance With Texas Government Code, Section 551.071, Consultation With Attorney On A Matter In Which The Duty Of The Attorney To The Governmental Body Under The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas Clearly Conflicts With The Texas Open Meetings Act:

1. To Receive Legal Advice Regarding A Social Media Policy

**No action was taken on this item.**

**9. ADJOURNMENT**

There was no further business before the Council and Council Member Hamilton moved to adjourn.

Council Member Fisher seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fisher, Megyesi, Fields, Robbins, Billings, and Hamilton.


Nays: None

Mayor Burger declared the motion carried unanimously and the meeting adjourned at 8:17 p.m.

APPROVED BY THE CITY COUNCIL ON THIS THE 17<sup>th</sup> DAY OF FEBRUARY, 2020.



APPROVED:

  
Joe Burger, Mayor

ATTEST:



Victoria Raduechel, TRMC  
City Secretary