



**ACTION MINUTES**  
**Wilmer City Council Regular Meeting**  
**September 6, 2018 at 7:00 pm**

Council Present

*Emmanuel Wealthy-Williams, Mayor*  
*Sheila Petta, Mayor Pro Tem*  
*Melissa Ramirez, Councilmember*  
*John Eggen, Councilmember*  
*Sergio Campos, Councilmember*  
*Candy Madrigal, Councilmember*

City Staff Present

*Carrie Gordon, City Administrator*  
*Patsy Patten, City Secretary*  
*Troy McCraw, Public Works Superintendent*  
*Missie Schwab, Finance Director*

**CALL TO ORDER** At 7:00 pm, Mayor Wealthy-Williams called the meeting to order. Members present were Mayor Wealthy-Williams, Mayor Pro Tem Petta, Councilmember Eggen, Councilmember Ramirez, Councilmember Campos and Councilmember Madrigal.

**INVOCATION** - Invocation was led by Mayor Wealthy-Williams.

**PLEDGE OF ALLEGIANCE** - Wilmer City Councilmembers

**PROCLAMATION** – A proclamation honoring “Constitution Week” was presented to Wanda Sykes, member of Daughters of the American Revolution (DAR). She gave a brief explanation of what the group does, when and where they meet and invited everyone who is interested to attend their meetings at the Lancaster Library.

**CITIZENS’ COMMENTS** – Mr. John Phinney addressed the council asking that council raise their hand when they vote so the audience can see who is voting for and/or against each item.

Ms. Mary Phinney addressed the Council concerning Redneck Diesel and the large trucks that idle all times of the night.

Mr. Juan Plascencia addressed the council concerning the need for soccer nets, sidewalks and working water fountains at Adams Park.

**COMMUNITY INTEREST** – Pioneer Days is September 21 – 23 at the Dalport parking lot area.

**CONSENT AGENDA**

1. **Consider Approval of Minutes for the following meetings:**
  - a. **Budget Workshop held on August 6,**
  - b. **Special Called Meeting and Budget Workshop held on August 13, Regular Council Meeting held on August 16,**
  - c. **Special Called Council Meeting on August 17,**
  - d. **Special Called Council Meeting and Budget Workshop on August 20; and**
  - e. **Budget Workshop held on August 29, 2018.**
2. **Ratification of Expenditures from August 11-31, 2018.**
3. **a. Discuss and Consider approving the Supervisory Control and Data Acquisition (SCADA) as Capital Expense.**
  - b. **Discuss and Consider abandoning the Supervisory Control and Data Acquisition (SCADA) as Capital Expense.**

**c. Discuss and Consider Approving the Upgrading of Current Water Meter Readers as a Capital Expense.**

**4. Discuss and Consider Authorizing the City Administrator to execute a Memorandum of Understanding with Dallas Independent School District for the Purpose of Designing Street and Sidewalk Improvements on S. Goode Road and E. Belt Line Road.**

City Attorney Michael Halla asked that Item #4 be pulled for Executive Session Discussion and that Item #3 needed to be pulled and voted in three motions.

Mayor Wealthy-Williams called for a motion to accept the Consent Agenda. Mayor Pro Tem Petta moved to pull items #3 and 4 from the Consent Agenda, second by Councilmember Campos. The motion passed unanimously 5-0. (Campos, Petta, Ramirez, Eggen, Madrigal)

Mayor Pro Tem Petta moved to accept Consent Agenda Items #1 and 2, second by Councilmember Campos. The motion passed unanimously 5-0. (Campos, Petta, Ramirez, Eggen, Madrigal)

**CITY ADMINISTRATOR'S MONTHLY REPORT**

Dr. Gordon gave a brief discussion of all the projects coming to the City in the near future. Some of those projects include the Sunrise 12" water line agreement, orphan road annexation, a 319 acre tract of possible residential development, a petition has been sent to TCEQ regarding the company that wants to place a tire pit on the edge of Wilmer and Ferris. The City of Wilmer is working with the Fire Marshal on road flooding issues.

**ACTION ITEMS**

**3. a. Discuss and Consider approving the Supervisory Control and Data Acquisition (SCADA) as Capital Expense.**

Councilmember Madrigal moved to approve the SCADA system as a Capital Expense, second by Councilmember Campos. Motion passed unanimously 5-0. (Campos, Petta, Ramirez, Eggen, Madrigal)

**b. Discuss and Consider abandoning the Supervisory Control and Data Acquisition (SCADA) as Capital Expense.**

Councilmember Madrigal moved to abandon the SCADA system as a Capital Expense, second by Mayor Pro Tem Petta. Motion passed unanimously 5-0. (Campos, Petta, Ramirez, Eggen, Madrigal)

**c. Discuss and Consider Approving the Upgrading of Current Water Meter Readers as a Capital Expense.**

Councilmember Madrigal moved to approve the current water meter readers as a Capital Expense, second by Mayor Pro Tem Petta. Motion passed unanimously 5-0. (Campos, Petta, Ramirez, Eggen, Madrigal)

**5. Discussion and Consideration of All Matters Incident and Related to the Issuance and Sale of "City of Wilmer, Texas, Tax Notes, Series 2018", Including the Adoption of Ordinance No. 18-0906 Authorizing the Issuance of Such Tax Notes.**

The City Secretary asked that this item be tabled until October 4<sup>th</sup> per the financial investment company's request.

Councilmember Madrigal moved to table Item #5 until October 4<sup>th</sup>, second by Councilmember Ramirez. Motion passed unanimously 5-0. (Campos, Petta, Ramirez, Eggen, Madrigal)

**6. Discuss and consider approval of a Final Plat for Lots 1 and 3 in Block A and Lot 1 in Block B of the Southport Addition, a 52.9± acre property that is generally located on the south side of Fulghum Road approximately 1,000± feet west of Southport Parkway, and also generally located on the south side of Southport Parkway between Fulghum Road and E. Pleasant Run Road, situated in the George W. Scott Survey, Abstract No. 1273, and in the Robert Sloan Survey, Abstract No. 1271, in the City of Wilmer, Texas.**

***Applicant: Southport POA Logistics Park, Inc. and Southport Logistics XT, LP***

City Planner Sefko gave a brief description of the plat and asked that it be approved with the stipulations from P&Z including required completion by the city, storm water detention pond, required fees paid in full, ROW language, issuance of letter of acceptance from building inspector. Councilmember Madrigal asked about the power going to the property and who is paying for it. Public Works Superintendent McCraw explained that for now, the City is paying for the fuel for the generator. However, the City is working with Mr. Kenneth Govan at Oncor to get permanent power to the property as soon as possible.

Mayor Wealthy-Williams called for a motion. Councilmember Madrigal moved to accept the Final Plat with the five stipulations being included, second by Mayor Pro Tem Petta. Motion passed 3-2. (Madrigal, Petta, Eggen) Councilmembers Ramirez and Campos voted no.

**7. Discuss and consider by Minute Entry Resolution No. R18-0906A accepting the public improvements for Lots 1 and 3 in Block A and Lot 1 in Block B of the Southport Addition, a 52.9± acre property that is generally located on the south side of Fulghum Road approximately 1,000± feet west of Southport Parkway, and also generally located on the south side of Southport Parkway between Fulghum Road and E. Pleasant Run Road, situated in the George W. Scott Survey, Abstract No. 1273, and in the Robert Sloan Survey, Abstract No. 1271, in the City of Wilmer, Texas.**

***Applicant: Southport POA Logistics Park, Inc. and Southport Logistics XT, LP***

City Planner Sefko gave a brief description of the improvements and asked Mr. Todd Blackwell to speak to the Council concerning any questions. He discussed Building 7 and its forthcoming occupant. He emphasized the need to get it finalized so that the corporation can move in and begin operations. He stated that all the fees have been paid for two years and that the generator is currently providing enough power to handle the business load that will be needed to accommodate the incoming company.

Mayor Wealthy-Williams called for a motion. Councilmember Madrigal moved to accept Resolution No. R18-0906A accepting the public improvements on Lots 1 & 3, second by Mayor Pro Tem Petta. Motion passed 4-1 (Madrigal, Petta, Eggen, Ramirez) Councilmember Campos voted no.

- 8. Discuss and consider approval of a Final Plat for Lot 2 in Block A of the Southport Addition, a 55.2± acre property that is generally located at the southwest corner of Fulghum Road and Southport Parkway, situated in the George W. Scott Survey, Abstract No. 1273, in the City of Wilmer, Texas. Applicant: LPC Southport I, LLC**

City Planner Sherry Sefko gave a brief description of this item for the Council. The fees have been paid, modifications to language and Scribner errors are being addressed. The City Attorney addressed the concerns of wording. He stated that if they violate ordinances that are already in place, they are still in violation so the wording in the plat does not change that.

Mayor Wealthy-Williams called for a motion. Councilmember Madrigal moved to approve the Final Plat for Lot 2 in Block A of the Southport Addition with prior approval of the City and P&Z stipulations, second by Councilmember Eggen. Motion passed 3-2 (Madrigal, Eggen, Petta) Councilmembers Ramirez and Campos voted no.

- 9. Discuss and consider by Minute Entry Resolution No. R18-0906B accepting the public improvements for Lot 2 in Block A of the Southport Addition, a 55.2± acre property that is generally located at the southwest corner of Fulghum Road and Southport Parkway, situated in the George W. Scott Survey, Abstract No. 1273, in the City of Wilmer, Texas.**

**Applicant: LPC Southport I, LLC**

City Planner Sherry Sefko explained that this regards the same piece of property and that all public improvements are ready to go. The Public Works Superintendent has approved all the improvements and given them the green light.

Mayor Wealthy-Williams called for a motion. Councilmember Madrigal moved to accept Resolution R18-0906B accepting the public improvements for Lot 2 in Block A of the Southport Addition contingent on previous stipulations, second by Mayor Pro Tem Petta. Motion passed 3-2 (Madrigal, Eggen, Petta) Councilmembers Ramirez and Campos voted no.

- 10. Discuss and consider approval of a Final Plat for Lot 4 in Block A of the Southport Addition, a 37.3± acre property that is generally located on the south side of Southport Parkway approximately halfway between Fulghum Road and E. Pleasant Run Road, situated in the George W. Scott Survey, Abstract No. 1273, and in the Robert Sloan Survey, Abstract No. 1271, in the City of Wilmer, Texas. Applicant: LPC Southport II, LLC**

City Planner Sherry Sefko explained that this property has a tenant that is ready to move in and it will be a heavily used facility. (It is commonly known as "Building 7"). There are some stipulations from P&Z including questions on whether there are fees due to the city, minor scribner errors, and a letter of acceptance. The fees have not been paid yet but Mr. Blackwell assured the Council that he would be bringing a check to City Hall on Friday.

Mayor Wealthy-Williams called for a motion. Councilmember Madrigal moved to accept the Final Plat for Lot 4 in Block A of the Southport Addition contingent upon P&Z stipulations, second by Mayor Pro Tem Petta. Motion passed 3-2 (Madrigal, Eggen, Petta) Councilmembers Ramirez and Campos voted no.

- 11. Discuss and consider by Minute Entry Resolution No. R18-0906C accepting the public improvements for Lot 4 in Block A of the Southport Addition, a 37.3± acre property that is generally located on the south side of Southport Parkway approximately halfway between Fulghum Road and E. Pleasant Run Road, situated in the George W. Scott Survey, Abstract No. 1273, and in the Robert Sloan Survey, Abstract No. 1271, in the City of Wilmer, Texas. Applicant: LPC Southport II, LLC**

City Planner Sherry Sefko explained that this is just to accept public improvements on Building 7.

Mayor Wealthy-Williams called for a motion. Councilmember Madrigal moved to accept Resolution R18-0906C accepting the public improvements contingent upon the same stipulations listed in Item #10, second by Mayor Pro Tem Petta. Motion passed 3-2 (Madrigal, Eggen, Petta) Councilmembers Ramirez and Campos voted no.

- 12. Discuss and Consider Appointing an Interim City Administrator.**

Councilmember Madrigal made a motion to move the item to after Executive Session, second by Councilmember Eggen. Motion passed unanimously 5-0. (Madrigal, Petta, Ramirez, Campos, Eggen)

## **EXECUTIVE SESSION**

**Council convened into Executive Session at 8:20 p.m.**

**Council convened into Open Session at 10:38 p.m.**

- 13. The City Council Shall Convene into Open Session to Take Any Action Necessary as a Result of the Executive Session.**

- 4. Discuss and Consider Authorizing the City Administrator to execute a Memorandum of Understanding with Dallas Independent School District for the Purpose of Designing Street and Sidewalk Improvements on S. Goode Road and E. Belt Line Road.**

Mayor Wealthy-Williams called for a motion. Councilmember Madrigal moved to accept the MOU with DISD, second by Mayor Pro Tem Petta. Motion passed unanimously 5-0. (Madrigal, Petta, Ramirez, Campos, Eggen)

- 14. The City Council Shall Convene into Closed Executive Session under Texas Govt. Code Sections §551.071 (Advice of Attorney) and §551.074 (Personnel with Regard to a Matter that is the Duty of the Attorney to Consult with Council and Falls Under the Attorney-Client Privilege or With Regard to a Matter that Involves Litigation or Contemplated Litigation or Claims to Deliberate the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of the City Administrator.**

Mayor Wealthy-Williams called for a motion. Councilmember Eggen moved to take no action, second by Councilmember Madrigal. Motion failed 2-3. (Eggen, Madrigal – yes; Campos, Ramirez, Petta – no)

Councilmember Ramirez moved to terminate the City Administrator's contract and appoint her Interim City Administrator, second by Councilmember Madrigal. Motion passed 4-1. (Madrigal, Petta, Campos, Ramirez). Councilmember Eggen voted no.

**ADJOURN** There being no further business, Mayor Wealthy-Williams adjourned the meeting at 10:47 p.m.

APPROVE

  
Emmanuel Wealthy-Williams, Mayor

ATTEST

  
Patsy Patten, City Secretary

