

**CITY COUNCIL OF THE CITY OF SACHSE
MEETING MINUTES
MARCH 7, 2022**

The City Council of the City of Sachse held a regular meeting on Monday, March 7, 2022, at 6:30 p.m. at Sachse City Hall, 3815-B Sachse Road. Those present were Mayor Mike Felix; Mayor Pro Tem Jeff Bickerstaff; Councilmembers Brett Franks, Michelle Howarth, Frank Millsap, Chance Lindsey, and Cullen King; City Manager, Gina Nash; City Attorney, Joe Gorfida; City Secretary, Leah Granger; Assistant City Manager, Lauren Rose; Information Technology Manager, Mike Pastor; Director of CIP and Engineering, Corey Nesbit; Finance Director, David Baldwin; Police Chief, Bryan Sylvester; Fire Chief, Marty Wade; Deputy Fire Chief, Lee Richardson; Assistant to the City Manager, Amanda Chi; and Assistant to the City Manager – Economic Development, Jerod Potts.

Mayor Felix called the workshop meeting to order at 6:31 p.m.

WORKSHOP:

Receive a briefing on the Charter Review Commission structure, meeting schedule, and public engagement plan.

Ms. Rose presented the plan for the Charter Review Commission. She indicated that the City Attorney's office will be leading the endeavor with staff assistance. Meetings will be on the first Thursday of the month, with the exception of the first meeting. Ms. Rose specified that public engagement will be similar to the bond process and residents will be encouraged to provide feedback through the dedicated email address, social media, and by attending meetings.

Councilmember Millsap asked for clarification regarding quorum and Ms. Rose responded that eight of the 15 members constitutes a quorum. Mr. Gorfida added that an affirmative vote of the majority of the members present may move an item forward.

The City Council shall convene into Executive Session pursuant to the Texas Government Code, Section §551.071(2) to consult with legal counsel on matters 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 Chapter 551 of the Government Code; wholesale water rates imposed by North Texas Municipal Water District (NTMWD) paid by Sachse as a customer city.

The Mayor adjourned the workshop to Executive Session at 6:38 p.m.

The Mayor adjourned Executive Session and opened the regular meeting at 7:03 p.m.

INVOCATION AND PLEDGES OF ALLEGIANCE TO THE US AND TEXAS FLAGS:

Councilmember King lead the invocation and Councilmember Lindsey led the pledges.

MAYOR AND CITY COUNCIL ANNOUNCEMENTS REGARDING SPECIAL EVENTS:

Mayor and City Council announcements regarding special events, current activities, and local achievements.

Councilmember King encouraged residents to sign up for the water conservation tools provided on the City website. He also recognized the current pet adoption week. The Animal Shelter is at maximum capacity and the City is waiving adoption fees to encourage adoptions. Please contact the shelter for details.

There were some technical difficulties and Council took a short recess while they were addressed. Council recessed at 7:09 p.m. and reconvened at 7:17 p.m.

Councilmember Franks encouraged residents to take advantage of the Community Center offerings, particularly pickleball, toddler time, and summer programs.

Councilmember Millsap mentioned that the Sachse Library is doing some great things, such as the adult craft night, toddler time, and the Perot museum exhibition.

Councilmember Lindsey touted the Sachse CERT preparedness training and certification.

Mayor Felix publicized the In-N-Out Reading Program at the Sachse Library runs from March 8 through April 16. Kids ages four through 12 can pick up a reading log from the Library and earn up to three free hamburgers or cheeseburgers at In-N-Out Burger for reading at least 400 minutes – that is just under seven hours in a little more than a month. Check out the Sachse Library for some great reading options and get started!

The Senior Center is back open on Fridays and attendance is up, noted the Mayor. Seniors are invited to come check out the center and participate in the activities offered. He also encouraged residents to mark their calendars for the Easter Egg Hunts on April 9.

Proclamation honoring the late Lieutenant General Charles B. Eichelberger.

Mayor Felix presented a proclamation to Ms. Jackie Eichelberger in honor of her husband, Lieutenant General Charles B. Eichelberger. The Mayor and several Councilmembers expressed respect and appreciation for his military service and service to the community.

CITIZEN INPUT:

There was no citizen input at this meeting.

CONSENT AGENDA: All items listed on the consent agenda will be considered by the City Council and will be enacted on by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests.

1. Approve the minutes of the February 21, 2022, combined meeting.
2. Accept the monthly revenue and expenditure report for the period ending January 31, 2022.
3. Accept the Quarterly Budget and Investment Reports for the quarter ending December 31, 2021.
4. Approve a resolution authorizing the City Manager to execute Amendment #1 to the Advance Funding Agreement between the City of Sachse and the State of Texas, acting through the Texas Department of Transportation, for the preparation of preliminary engineering (design schematic, environmental documents/public involvement); plans, specifications and estimates (PS&E), right-of-way acquisition and utility adjustment for the reconstruction and widening of a 2-lane roadway to a 4-lane divided urban roadway to include intersection, signal, shared use path improvements along Merritt Road/Woodbridge Parkway from south of Creek Crossing Lane to Pleasant Valley Road in the City of Sachse.
5. Approve the Consent Agenda Items as presented.

Mayor Pro Tem Bickerstaff made a motion to approve the consent agenda as presented. Councilmember King seconded the motion, and it carried unanimously.

REGULAR AGENDA ITEMS:

Consider the removal of Spencer Hauenstein from the Board of Directors of the Sachse Economic Development Corporation pursuant to Section 505.051(c) of the Texas Local Government Code.

Mayor Pro Tem Bickerstaff read an email from Mr. Spencer Hauenstein that was sent to him and forwarded to the Council.

“Councilman Bickerstaff,

For the past year, I've been burdened with knowing details about your misconduct toward the SEDC and its Board of Directors while acting in your official capacity as Board Liaison. This burden is compounded by the moral obligation that I feel to inform the voters about your unethical actions and your dishonesty in the pursuit of your goal to have the authority over the SEDC transferred to the City Manager.

If you remain in the race for mayor, my conscience will dictate that I inform the voters about everything that I have seen and everything that I have learned over the last year about the matter. Since you have chosen to run, I suspect that you are confident that I will either neglect the duty that I feel to speak out, or that you will be able to convince the voters that your actions were reasonable and justified. Let me assure you that I have no intention of remaining silent, and I feel that the facts which I have to present to the voters will be

insurmountable for you. To this point in time, your friends on the council have shielded you from the ramifications of your actions by their refusal to investigate or even discuss these issues, but I think it would be unwise to count on their help during the election once their own actions to cover up your misconduct are brought to light.

I've served alongside you since 2006, and I know how badly you want to win this race, but even if you do win it will come at a very high cost to you and those around you, especially those who participated in your efforts to have the CEO unjustly removed and those who helped cover-up the lies which were used to manipulate the council and the Board of Directors. I could have gone public about your dishonesty at any point, but I have tried to handle this matter discretely by bringing my concerns to the City Council privately. The fact that the council has done nothing to address the issues I raised will show that there is a great lack of accountability in that body. My emails will show that I have been raising these issues for over a year, so it will be clear that this isn't just a campaign issue for me. In fact, I suspect that I would have a better chance of winning my own race if I publicly exposed how bad your actions and the cover-up were, but I very much want to spare you and the other individuals, as well as our city, from that turmoil. I feel no desire to tarnish your reputation or the reputations of the other people involved. However, unlike your friends on the council, I can not and will not look the other way and pretend that your actions are acceptable. If you had chosen to walk away from public service, as the Mayor has, this matter would have remained out of sight from the public. That path is still open to you.

I have no doubt in my ability to accurately convey the facts regarding this matter to the voters, and I have to believe the vast majority will see those facts the same way that I and other SEDC board members see them. Based on your misconduct and dishonesty regarding the SEDC last year, you have shown yourself to be lacking in the character that one should have to hold elected office, or any position of authority in city government. For the sake of Sachse, for the sake of the City Council, and for the sake of your reputation (as well as others'), please withdraw from the race for mayor.

I am doing the best that I can to handle this matter ethically and fairly. Please know that if I did not like you I would have gone public much earlier, without regard for how it affected you.

Though I am writing this email under my role as President of the Board of Directors of the Sachse Economic Development Corporation, this message is completely my own and does not reflect the view of the corporation. Nobody else involved in these matters has any knowledge that I was planning to reach out to you about this. I alone bear the weight of responsibility for my words and my actions in this matter.

Regards,
Spencer Hauenstein
President, Board of Directors, Sachse Economic Development Corporation"

Mayor Pro Tem Bickerstaff went on to say that he asked for the item to be added to the agenda because an email like this sent in a threatening manner is not appropriate for someone that serves on one of the City's boards. Someone that would take these actions is no longer qualified to serve on a City board. He noted that he likes Mr. Hauenstein but not what he did. Mayor Pro Tem Bickerstaff requested the Council consider removing Mr. Hauenstein from the Economic Development Corporation (EDC).

Councilmember Howarth noted that the Texas Election Code is quite clear on prohibiting coercion against candidacy. She feels that she has a moral obligation to not let that stand since she took an Oath of Office. Since the Texas Local Government Code grants the Council the authority to manage the EDC as they see fit, she agrees that Mr. Hauenstein should be removed from the Board of Directors of the Sachse EDC.

Mr. Hauenstein, 7819 Hillside Drive, addressed the Council stating that the agenda item is in response to the email he sent to Mayor Pro Tem Bickerstaff. He noted that he is filing a complaint with the City Secretary that contains two parts. His analysis of the situation is that he was lied to and that the liaison interfered with the Board of Directors proper authority over the affairs of the EDC. He takes responsibility for the email and stated he never threatened to slander him but to reveal things he knew about (Bickerstaff's) conduct. He hopes other volunteers would have the courage to stand up for what they believe to be right.

Councilmember King asked Mr. Hauenstein if he would be able to continue to serve on the Board of Directors without reference to past actions, to which Mr. Hauenstein responded that he has continued to serve even with the knowledge. He asked that the Council consider appointing a new liaison because of the loss of faith in the liaison by the Board. Councilmember Franks believes this to be a procedural matter, and implication of a Council cover-up is in bad form. He supports the removal request. Councilmember Lindsey and Millsap do not believe a threat was made or that there is cause to remove Mr. Hauenstein. Council continued to discuss the matter.

Ms. Diana Smith, 4802 Sachse Road, commented that Mayor Pro Tem Bickerstaff's actions reminded her of a previous Councilmember that abused social media. She said he tarnished a 'staff member's' reputation when he put the email on Facebook and included a vindictive agenda item. When asked if Mr. Hauenstein's email was threatening, she responded that Councilmembers should be held to a higher standard.

Mr. Gorfida confirmed that once an email is sent to a Councilmember it is public record unless it is confidential in nature or exposing private identifying information, and there was no violation here regarding access to the email.

Ms. Jeanie Marten, 4908 Maple Shade Avenue, commented that after learning about the changes to the EDC a year ago, she reached out to Mayor Pro Tem Bickerstaff. She stipulated that volunteers serve at the pleasure of the Council and that Council must communicate clearly with boards. If they had communicated clearly, a restructure would not have been needed. She reached out and asked that Council not move forward with this agenda item. She believes the action is shaming a volunteer and is concerned about the message it sends to other volunteers if they disagree with Council.

Ms. Carmen Franks, 4811 Westcreek Lane, expressed concern about the situation and encouraged Council to consider an alternate solution from removal.

After further discussion, Councilmember Howarth made a motion to remove Spencer Hauenstein from the Economic Development Corporation Board. Mayor Pro Tem Bickerstaff seconded the motion.

Councilmember Millsap reread portions of Mr. Hauenstein's letter and stated that he did not believe it could be taken to mean "bow out or else" and is not a threat. Councilmember Lindsey noted that the email was not a physical threat but was a warning to "bow out or be accountable for these actions".

The motion carried with a vote 4-3, with Councilmembers Millsap, Lindsey, and King voting no.

Consider appointments to various City boards and commissions.

Ms. Granger reminded the Council that there were five seats open on boards and commissions. She stated that interviews were conducted at the February 21 meeting and asked if there were any appointments to be made.

Councilmember Howarth made a motion to appoint the following people to the following boards:

Cindy Woodcock and Joshua Frick to the Library Board
Gregg Woodcock and Ah Kabir to the TIF #1 Board
Scott McMurdie to the EDC Board.

Councilmember King seconded the motion. Councilmember Lindsey pointed out that there are currently two spots on the EDC Board that need to be filled. Councilmember King requested that the additional position be held for another meeting so the Council has a chance to talk about who might fill it. The motion carried unanimously.

Consider appointing the remaining representatives to serve on a Charter Review Commission.

Mayor Felix noted that a few Councilmembers held their appointments until the current meeting.

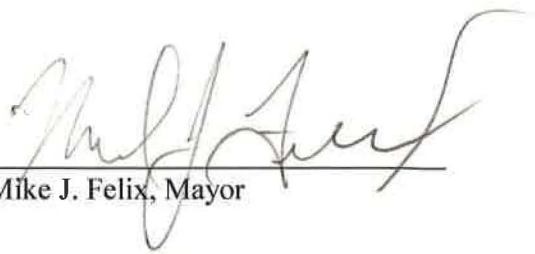
Councilmember King made a motion to appoint the following people to the Charter Review Commission.

Councilmember Millsap nominated Marcia Harris-Daniel and Matthew Holboke.
Councilmember Howarth nominated Cedric Alford and Eric Dominguez.
Councilmember Franks nominated Karlos McGhee and Billy George.

Councilmember Lindsey seconded the motion, and it carried unanimously.

ADJOURNMENT:

Mayor Felix adjourned the meeting at 8:40 p.m.


Mike J. Felix, Mayor

ATTEST:


Leah K Granger, City Secretary

