

**STATE OF TEXAS  
COUNTY OF  
DENTON TOWN OF  
DOUBLE OAK**

The Double Oak Town Council met in regular session at 7:00 p.m. Tuesday, February 20, 2024, at the Double Oak Town Hall, located at 320 Waketon Road with the following members present to-wit:

Patrick Johnson	Mayor
Pat Wellen	Deputy Mayor Pro Tern
Jean Hillyer	Council Member
Mark Dieterich	Council Member
Khourschid Favero	Council Member

Mayor Pro Tem Gwartney was absent. Also in attendance were Town Secretary Eileen Kennedy, Assistant Town Secretary Lynn Jones, and Police Chief Ruben Rivas.

- I. Opening:**
- Call to Order
  - Roll Call
  - Invocation
  - Pledge of Allegiance - American Flag
  - Pledge of Allegiance -Texas Flag

**II. Citizen Comments Non-Agenda Subjects**

JoAn Meyer, 170 Park Lane, commented on the Double Oak Volunteer Fire Department. Billie Garrett, 103 W. Carruth, announced the Pancake Breakfast and Egg Hunt on March 23. Ms. Garrett voiced concerns with additional funding for the 50<sup>th</sup> Birthday Celebration.

- III. Consent Agenda** - All consent agenda items listed are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

1. Consideration and action on minutes of February 5, 2024.

Motion Wellen, seconded by Favero to approve the consent agenda.

AYE: Wellen, Favero, Dieterich  
NAY: None  
ABSTAIN: Hillyer

Motion carried 4-0-1

**IV. Mayor, Council Members, and Staff reports:**

2. Mayor and Council – Deputy Mayor Pro Tem Wellen, Council Member Favero read prepared statements and one from Mayor Pro Tem Gwartney.\*
3. Public Works - Code Enforcement – Animal Control
4. Administration
5. Public Safety
6. Roads Committee
7. Drainage Committee

**V. New business agenda (consideration and action):**

8. Discussion, consideration, and action on an engineering design estimate for a new septic system at Town Hall.

Motion Favero, seconded by Dieterich to approve the design of a new septic system at Town Hall in an amount not to exceed \$2,000.

AYE: Hillyer, Dieterich, Wellen, Favero  
NAY: None  
ABSTAIN: None

Motion carried 4-0-0

9. Discussion, consideration, and action on purchasing equipment to outfit admin Tahoe for patrol use.

Motion Wellen, seconded by Hillyer to approve the purchasing equipment to outfit admin Tahoe for patrol use in the amount of \$5,825.80.

AYE: Favero, Dieterich, Wellen, Hillyer  
NAY: None  
ABSTAIN: None

Motion carried 4-0-0

\*a copy is attached and made a part of these minutes

10. Discussion, consideration, and action on a presentation for the purchasing of night vision equipment in the amount of \$4,395.00.

Motion Hillyer, seconded by Dieterich to postpone this item until the March 4, 2024, Council meeting.

AYE: Dieterich, Wellen, Hillyer, Favero  
NAY: None  
ABSTAIN: None

Motion carried 4-0-0

11. Discussion and consideration on consulting with Halff to begin building the construction plans and providing a cost analysis for the 2024 Mill & Overlay Project.

No action taken but will be on a future agenda.

12. Discussion, consideration, and action on purchasing a Dell Workstation through Texas DIR Contract DIR-TSO-3763 for the Detective to utilize software for video editing and redacting.

Motion Wellen, seconded by Hillyer to table the item.

AYE: Dieterich, Wellen, Hillyer, Favero  
NAY: None  
ABSTAIN: None

Motion carried 4-0-0

13. Discussion, consideration, and action on merit increases approved with the 2023-2024 budget.

Motion Favero, seconded by Wellen to approve the 3.5% merit increases.

AYE: Favero, Wellen, Dieterich  
NAY: Hillyer  
ABSTAIN: None

Motion carried 3-1-0

**VI. Old business agenda (consideration and action):**

14. Council - staff announcements and comments:

Mayor Johnson read a prepared statement regarding council decorum.\*

- March 5, 2024, the Republican and Democratic Primary Elections will be held at Town Hall from 7:00 a.m. to 7:00 p.m.
- Saturday, May 4, 2024, is the General Election for Double Oak. Filing started on January 17, 2024, and ended on February 16, 2024, at 5:00pm.

Terms expiring are:

**2-Year Term:**

- Council Member - Jean Hillyer (Incumbent)

**1-Year Term:**

- Council Member - Mark Dieterich (Incumbent)
- Council Member - Khourschid Favero Dr. "K" (Incumbent)

15. Adjournment

With no further business to come before the Council the meeting was adjourned at 8:33 p.m.

Approved: 03/04/2024

*Patrick Johnson*

Patrick Johnson, Mayor

Attest:

*Eileen Kennedy*

Eileen Kennedy, Town Secretary



\*a copy is attached and made a part of these minutes

Council woman Hiller made false accusations numerous times against council members and the mayor. She has accused me during a council meeting of breaking quorum, which after consulting with our town attorney on quorum rules was found to be false – but never an apology to me or statement from her to the town that she was wrong.

She has again made a false statement about the Mayor during the January 16<sup>th</sup> council meeting accusing him of stealing from town employees. This is also not true. The mayor was in fact following Town Ordinance 9.401 Personnel Performance Evaluations which states....



☐ § 9.401 Personnel Performance Evaluations.

- (a) All town employees shall be reviewed and evaluated at least annually by the employee's department director or, if none, by the mayor. The mayor shall approve a uniform evaluation form to be used by the mayor or by department directors for evaluations. The form shall provide objective criteria to be used in evaluating employee performance.
- (b) If and to the extent that the town council has authorized increases in employee compensation that are intended to be based on merit, a merit-based increase in salary, wages or other compensation shall be based on and supported by the employee's performance evaluation.
- (c) Increases in compensation to any employee or class of employees shall first be approved by the city council if the increase in compensation has previously been approved in the fiscal year budget. Budgeted wage or salary increases shall not serve to automatically authorize an increase in employee compensation.

(Ordinance 23-07 adopted 9/21/2023)

The mayor was upholding the town ordinances and also fulfilling his pledge of better town governance by putting in place objective criteria for employee performance reviews and raises based on merit not just government entitlements.

February 20, 2024

Mayor Johnson and Town Council, I am sorry I can not make it to the Council meeting tonight. I was going to make a motion to censure Councilwoman Hillyer, but I can not be there. I hope that another Council person will make the motion. At the Town Council meeting on the 16th of Jan 2024, Councilwoman Hillyer accused the Mayor of being a thief. Before the motion to censure is made, I would like to give Councilwoman Hillyer a chance to apologize.

She said – "I'm going to scold the mayor, I'm picking on you tonight"

She then accused the Mayor of theft by the town holding onto money, because the Mayor did not complete the merit reviews.

The Mayor, whether you like him or not deserves our respect. The Mayor and I don't always agree, but I will show respect to him as the Mayor. To wrongfully accuse the Mayor of theft is disrespectful and divisive to the town. You did not ask about merit raises, you just accused the Mayor.

Jaqui Barrow, who is a registered Democrat, your friend and one who endorsed you in your failed run for Mayor said in a Facebook post and I quote:

Gossip, hearsay, chatter, they are all part and parcel of social media. But when someone goes so far as to falsely accuse another, without proof mind you, and do it in such a way as to try and ruin their reputation, well that is completely unacceptable.

In this case an elected official's good name and reputation is being besmirched (buh-smurch) by another resident of this town. And frankly, hasn't Double Oak had enough of public officials' reputations being attacked and/or ruined in its recent history?

I say ENOUGH! end quote:

I will ask you Councilwoman Hillyer, will you apologize to the Mayor for calling him a thief?

Mike Gwartney Mayor Pro Tem

If she apologize:

Thanks for your apology and there is no need to censure.

If she does not apologize:

I would like to move that we censure Councilwoman Hillyer

\*\*\*\*\*

Suggestion to Mayor if the motion carries:

The motion is carried. Councilwoman Hillyer, you have been censured by the Town Council. A censure indicates the Council's displeasure of your comments to the Mayor.

Town council 2/20/24

I would like to say something about the comment made in our council meeting in January. The comment is the one made by council member Jean Hillyer at the end of the meeting in which she claimed that the mayor is a thief and that he is stealing money from the employees of the town of Double Oak. I am just so shocked that a council member could use such defamatory words so carelessly.

It was definitely a bold statement made by Jean towards the mayor, but more importantly, it is blatantly false. There is no financial gain to the mayor in delaying reviews of the staff. If you are worried about the employees of the town you can state that in a more professional manner. Maybe I'm just not used to the way politics works on a local level. I went to a professional graduate school in which studying ethics was not just recommended but it was required. I am very surprised that there is a member of this council who just merely doesn't understand the basics of how you are supposed to conduct yourself and, in this case, that involves respecting your fellow council members and the mayor as well. We are all volunteer. We are all busy people and we all want to use some of our precious time in order to give back to our town of Double Oak. There is no room for mud slinging in our town. This is not representative of our town and apologies are necessary.

I feel like this is a prime reason why we need to open up discussions, once again, into having an enforceable code of ethics. While most of us do live by a personal code of ethics, it is obvious that not everyone does and there needs to be rules in place as well as consequences if those rules are not followed. We need to do better for the citizens that we represent and each other.

Khourschid Favero, Council Member

## **Statement by Mayor Johnson at 2/2024 Town Council Meeting Regarding Council Decorum**

In support of and respect for an open, fair, and informed decision-making process, the Mayor and Town Council will recognize that:

Compliance with the meeting protocol is expected. Public comment is encouraged and will continue to be listed as an agenda item at every regular Double Oak town council meeting. The public comment period will be held near the beginning of the meeting.

1. In support of and respect for an open, fair, and informed decision-making process, the Double Oak Town Council will recognize that Civil, respectful, and courteous discourse and behavior are conducive to the democratic and harmonious airing of concerns and decision-making and Uncivil discourse and/or discourteous and inappropriate behavior have a negative impact on the character and productivity of the decision-making process.
2. While the Council is in session, the council members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the town council nor disturb any member while speaking or refuse to obey the orders of the town council or its Presiding Officer. Council members should stay on point and not vicariously take the conversation in another direction for the purpose of pontificating one's experiences or references.
3. Any person while attending or part of the town council making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the council or one of its members shall be, without any delay, by the Presiding Officer, subject to loss of speaking privileges unless permission to continue to be granted by a majority vote of the Council.
4. It is not the intention of the town council to provide a public forum for the demeaning of any individual or group. Neither is it the intention of the town council to allow a member (or members) of the public or town council to insult the honesty and/or integrity of the town council individually or as a body, including the Presiding Officer, as well as the proceedings of the town council.
5. Anger, rudeness, ridicule, obscene or profane language, impatience, lack of respect for others, and personal attacks are unacceptable. The council chambers do not permit demonstrations in support or opposition to a speaker or idea. The Presiding Officer is responsible for maintaining order. Failure to abide by this requirement may result in the forfeiture of the speaker's right to speak, and the gavel will signal to stop all conversation.
6. The mayor and town council will endeavor to ensure that meetings are conducted courteously and in an atmosphere free of defamation, intimidation, personal insults, profanity, or threats of violence.

*This statement's printable version will be available via the minutes of the next meeting. We encourage council members and citizens to familiarize themselves with these protocols before offering public comment.*