Official Minutes of Regular City Council Meeting

Of the City of Richland, Texas

Mayor Kenneth Guard called the meeting to order on July 13, 2023, at 6:00 PM in the Civic Center of Richland, Texas. Those in attendance were Chief Financial Officer Bruce Thomas, Council members Shirley Thomas, Jay Tidwell and Mike Weempe, Operations Director Sharon Settlemyer. Chief Luu and Sergeant Winston. There were seven (7) visitors present.

Kenneth Guard gave the invocation.

Comments from citizens: None.

There was discussion of closing E. Navarro Street with Perry Bennett. Perry explained that he and his neighbors want the city to close E. Navarro Street starting at the alley. It is a dead end, and they use it as a driveway. Sharon explained that a survey will have to be done, which is paid for by the requestors. The property is then equally divided between the property owners. An Ordinance will have to be passed after the survey is received closing the street. Perry indicated he would also like to close S. Pacific, which is an area he fenced in years ago. Mike Weempe made a motion to accept the survey and close the streets. Jay Tidwell seconded the motion. Motion carried with a vote of 3 “ayes” and 0 “nays”.

The discussion of the house at 206 N. Milam was tabled because an officer had not gone and checked if it had been cleaned up.

There was discussion with Officer Fudge and Chief Luu about Appeal of Employment Termination for Officer Fudge. Officer Fudge explained that he enjoyed working for the city and that he wants all the information about his firing removed from his personnel file. He referenced his email, stating he wants an Honorable Discharge and for him to be re-hireable.

Chief Luu explained to the Council that Officer Fudge is a great employee and that he was promoted to Sergeant within a month. He was one of Luu’s students and everyone liked him. It is going to be hard to replace him. With that being said, he made a mistake on the job and needs to answer for it. There was a lot of paperwork that Luu had to do, and he asked him to respond in writing to the allegations, which Fudge did not do. Luu was embarrassed by the situation, and he did not want to take disciplinary action. He thought about suspending him or taking his stripes away. On the day after Luu asked to meet Fudge to obtain his shield and ID, he applied to the Alma Police Department. Because Fudge did not respond in writing to the allegations, Luu took it that he did not care about the department. He broke the law, violated policy and was given time to respond, which he did not, so he terminated him. He stated that the preponderance of the evidence that the Council has, will show there was no other option.

Fudge responded that Luu is mistaken about Alma. He had a feeling that Luu was going to terminate him, so he applied on June 2, 2023 to Alma. He received an email from Luu at his job and requested that Luu not send emails to his work email address. He received a phone call requesting he meet with Luu and Sergeant Winston at 3:00 on June 2nd. He asked what the meeting was about, and Sergeant Winston said she did not know. He agreed to the meeting, but something came up at work and he let them know he would not be available. He had plans for the evening, and Luu told him to call him as soon as he was done so they could meet. Fudge stated he had sent an email to Luu explaining he was waiting on evidence from the Cedar Hill Police Department to respond. He requested more time in the email. Fudge was at his place of employment and found it appalling that Luu would contact him while he was working there. Fudge was scheduled to work on Saturday, June 3rd, so he suggested to meet them on Saturday at 7:00 a.m. He was unable to give Luu a time that they could meet on Friday, due to his prior plans. When Fudge got back to his vehicle at approximately 12:15 a.m., he had two (2) text messages and a missed phone call from Luu. Fudge called him, left a message, and texted him. Luu did not respond. He also called and texted Sergeant Winston. No response. At 6:00 a.m. on Saturday, Sergeant Winston texted him and said she would meet him at 7:00 a.m. At that time, Sergeant Winston informed him to turn over his badge and ID and gave him the letter about the internal affairs investigation. Fudge stated that there were several times that Luu had done things that appalled him. The interaction between Luu and the Attorney and Judge that he witnessed at court was completely appalling to him. Luu had stated that he had a problem with his officers interacting with them after the court incident. Fudge could not believe how much control Luu wanted over every officer. Fudge has never seen a leader respond as vindictive as Luu. Luu did afford him the opportunity to bring his skill set to Richland. Nobody is perfect. Fudge thanked the Council and expressed his appreciation for everyone he has dealt with in the city and the Council. He stated his only unpleasant experience was with Chief Luu, and he had been contemplating looking outside of Richland for a Reserve job.

City Attorney Natalie Dawson then asked to speak to the Council. She stated she does not pay attention to the theatrics. She cares about the city. She stated that if we go to litigation, then everything will be handed over to opposing counsel. That is when she will have to represent the city. She advised the Council to keep that in mind, because that is what will come out of their decision tonight.

Mike Weempe requested that Natalie Dawson and Judge Hickman stay for the Executive meeting.

Mayor Guard then closed the regular meeting to go into Executive Meeting to discuss Personnel Matters at 6:30 p.m.

Mayor Guard called the regular meeting back to order at 7:00 p.m.

Mayor Guard explained to Chief Luu that the Council had decided to ask him to resign with an honorable discharge effective immediately. Chief Luu asked if he could go gather his things. Mayor Guard said yes. Mayor Guard then stated that the Council had overturned the internal affairs decision and would be changing the F-5 to honorable discharge. Mike Weempe made a motion to accept these two items. Jay Tidwell seconded the motion. Motion passed with a vote of 3 “ayes” and 0 “nays”.

There was discussion of the Minutes of the June 8, 2023, meeting. Shirley Thomas made a motion to accept the minutes. Mike Weempe seconded the motion. Motion carried with a vote of 3 “ayes” and 0 “nays”.

There was discussion of the financial report for June 2023. Shirley Thomas made a motion to accept the report. Mike Weempe seconded the motion. Motion carried with a vote of 3 “ayes” and 0 “nays”.

There was discussion of the Police Department/Municipal Court Reports. Mike Weempe stated that the Police Department would no longer allow personal vehicles to be used. Jay Tidwell made a motion to accept the report. Shirley Thomas seconded the motion. Motion carried with a vote of 3 “ayes” and 0 “nays”.

There was discussion of the resignation of Kyla Young as a reserve officer. Mike Weempe made a motion to accept the resignation. Jay Tidwell seconded the motion. Motion passed with a vote of 3 “ayes” and 0 “nays”.

There was discussion of the Water Report. Jay Tidwell made a motion to accept the water report. Mike Weempe seconded the motion. Motion carried with a vote of 3 “ayes” and 0 “nays”.

There was discussion of allowing Operations Director and Court Clerk to take vacation September 22nd – 29th. Mike Weempe made a motion to allow the vacation. Jay Tidwell seconded the motion. Motion passed with a vote of 3 “ayes” and 0 “nays”.

Things to place on next month’s agenda: House at 206 N Milam.

Meeting adjourned at 7:10 p.m.

These minutes approved by the City Council of Richland, Texas on August 18, 2023.

APPROVED:

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Mayor Kenneth Guard

ATTEST:

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City Operations Director