

Minutes

January 16th 2025 @ 6:00 p.m.
Regular Council Meeting
Oran White Civic Center
701 N Tool Drive
Tool, TX 75143



1. Call to Order @ 6:00 p.m.
 2. Roll Call: Bennett, Dumont, Figueroa, Fladmark, Sayre, Stykes. All Present with Mayor Dumont Presiding.
 3. Invocation and Pledge of Allegiance
 4. **Appointments, Presentations, Proclamations and Recognitions**
 - A. City Secretary Kimberley Price to give a presentation for the Employee of the Year. City Secretary Price presented Director of Maintenance and Operations as the Employee of the Year for 2024.
 - B. City Secretary Kimberley Price to give a presentation for Councilmember of the Year. City Secretary Price presented Councilmember Daniel Sayre as Councilmember of the Year for 2024.
 5. **Citizen Comments:** Citizens wishing to speak on an agenda item must sign up to do so (**3 Minute Maximum**)
 - A. David Moses spoke on Item Nine highlighting the need for a Municipal Development District (MDD) in the City of Tool.
 - B. Mike McBride of the Tool Volunteer Fire Department discussed the Calls for Service for December and grant opportunities that are being explored by the department. McBride concluded by thanking the community for their support of the department and highlighted that the department had collected \$10,000.00 in donations for new equipment.
 - C. Randall Newkirk of the Tool Volunteer Fire Department discussed the recent structure fire in Tool. Newkirk concluded by thanking everyone who donated to the family highlighting that \$5,000.00 was raised for the affected family.
- Consent Agenda** - *Approval of Consent Agenda items authorize each to be implemented in accordance with staff recommendations provided. An item may be removed from the consent agenda and added to the Statutory Agenda for full discussion upon request by a member of the Council present at this meeting.*
6. Approve Minutes: December 3rd, 2024 Special Meeting and December 19th, 2024 Regular Meeting. Councilmember Fladmark stated that he would submit his recommended changes to City Secretary Price after the meeting. Councilmember Fladmark stated that the requested changes were minor. Motion to Approve Minutes: December 3rd, 2024 Special Meeting and December 19th, 2024 Regular Meeting as amended was made by Councilmember Fladmark with second by Councilmember Bennett. Motion Passed 5/0.
 7. Approve Monthly Activity Reports for December 2024 as presented: (A) Executive Summary (B) Financial and Expenditure (C) Municipal Court; (D) Police (E) Maintenance; (F) Building (G) Code Enforcement and; (H) Animal Control. Councilmember Figueroa requested additional information regarding interest revenue from the Chapter 380 Agreement Litchfield Agreement bank account, Abatement Lien Reimbursements, and the Trinity Valley Electric Cooperative Franchise Fee

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payment. Mayor Dumont requested additional information regarding the status of the Fiscal Audits being completed by Yeldell, Wilson, Wood & Reeve, P.C. and the engineered plans for the new Maintenance Barn. Motion to Approve Monthly Activity Reports for December 2024 as presented was made by Councilmember Figueroa with second by Councilmember Sayre. Motion Passed 5/0.

Statutory Agenda - *The purpose of this section is to have full discussion upon request by the Tool City Council. Ideas, thoughts and decisions are formulated by City Council and staff plans, operations, policies, and/or future projects, including the following:*

8. Discuss and Take Action to enter into a Municipal Maintenance Agreement with the Texas Department of Transportation to fix responsibilities for maintenance, control, supervision, and regulation of state highways within and through the corporate limits of the City of Tool. City Administrator Julius Kizzee stated that the City Attorney had reviewed the agreement and had no issues with the agreement as written. City Administrator Kizzee stated the purpose of this agreement was to give the City of Tool the authority to maintain rights-of-ways along State Highway 274 and any other future highways through the City of Tool. City Administrator Kizzee continued by stating this agreement would allow the city to manage encroachments in the rights-of-ways. Councilmember Bennett requested additional information regarding term limits of the agreement and if this agreement would allow the city to issue a citation to people parking in the right-of-way along Highway 274. Councilmember Fladmark requested additional information regarding the city's obligations to maintain the right-of-way and concluded by inquiring why there were missing exhibits in the agreement. Building and Code Official LaCosta Davis stated that this agreement would essentially give the City of Tool permission to maintain the rights-of-ways. Building and Code Official Davis concluded by stating that if Texas Department of Transportation was unable to maintain the right-of-way on Highway 274, the city could maintain it. Motion to Table Item Eight Municipal Maintenance Agreement with the Texas Department of Transportation was made by Councilmember Figueroa with second by Councilmember Bennett. Motion Tabled 5/0.

9. Receive and discuss applications for an Economic Development Corporation and/or Municipal Development District for the City of Tool. Councilmember Fladmark inquired what the next step for this item would be to which City Administrator Kizzee stated that the City Council would need to accept and receive the applications for an Economic Development Corporation and/or Municipal Development District for the City of Tool. City Administrator Kizzee continued by stating the City Council would then approve the creation of an Economic Development Corporation and/or Municipal Development District. City Administrator Kizzee concluded by stating the next step would be to place the creation of an Economic Development Corporation and/or Municipal Development District on the next election ballot as a proposition. Councilmember Figueroa inquired if the creation of an Economic Development Corporation would need to be voted on during an election to which City Administrator Kizzee stated that yes, it would need to be voted on during the Election if the Economic Development Corporation were to be funded by sales tax. Councilmember Stykes inquired if the City could have both an Economic Development Corporation and a Municipal Development District to which City Administrator Kizzee stated that while rare, the city can have both an Economic Development Corporation and a Municipal Development District. Councilmember Figueroa discussed House Bill 2038 highlighting individuals in the City of Tool's Extraterritorial Jurisdiction (ETJ) would now have the ability to de-annex from the City's ETJ jurisdiction. Councilmember Bennett stated that a Municipal Development District could be select areas in the city and that it would not have to include the whole city. Councilmember Figueroa stated that developers need to be brought into the city and that

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the City of Tool needed to be open for business. Councilmember Figueroa continued by stating that a Strategic Plan would be meaningless without revenue and development. Councilmember Figueroa concluded by stating that an Economic Development Corporation was needed within 60 days and that the City Council needed to stop talking and take action. Councilmember Sayre stated that more discussion was needed for this item and that it should be discussed during a workshop. Motion to Accept applications for an Economic Development Corporation and a Municipal Development District for the City of Tool was made by Councilmember Sayre with second by Councilmember Figueroa. Motion Passed 5/0.

10. Consider, Discuss and Take Action on a Strategic Plan for the City of Tool. City Administrator Kizzee stated that the six goals of the Strategic Plan were Beautification Projects, Development of Highway 274, Capital Improvement Program, Relationships on the Lake, Drainage/Roads and City Committees. City Administrator Kizzee further explained each goal and asked that the City Council approve the proposed Strategic Plan. Motion to Accept the Strategic Plan for the City of Tool as written was made by Councilmember Figueroa with second by Councilmember Sayre. Motion Passed 5/0. Councilmember Fladmark requested a title change to the Strategic Plan going forward.
11. Consider, Discuss and Take Action on the appointment of a Municipal Court Judge for the City of Tool, pursuant to Chapter 29.004 of the Texas Government Code. Tanya Norris spoke highlighting her desire for the Municipal Court Judge position with the City. City Administrator Kizzee stated that Tanya Norris met with Court Clerk Stacy Hamaker and himself to discuss the position. City Administrator Kizzee stated that if the City Council chose to hire Tanya Norris, an Employment Agreement would be signed. Motion to Appoint Tanya Norris as the Municipal Court Judge for the City of Tool, pursuant to Chapter 29.004 of the Texas Government Code was made by Councilmember Bennett with second by Councilmember Sayre. Motion Passed 5/0.

Executive Session

- The City Council chose not to convene into executive session
12. Convene into executive session pursuant to Texas Government Code Chapter 551 section:
 - a. Section 551.074 to discuss the appointment of a Municipal Court Judge
 13. Reconvene in open session and take any action necessary resulting from executive session

Resolution Adoption

14. Consider and take action to adopt Resolution 2025-01R, Official City Newspaper. Motion to adopt Resolution 2025-01R, Official City Newspaper was made by Councilmember Bennett with second by Councilmember Sayre. Motion Passed 5/0.
15. Consider, Discuss and take action to Repeal of Resolution 2013-02R, Procedures for All Major Road Work Repairs. Councilmember Bennett stated that she would not like to see this Resolution repealed. Director of Maintenance and Operations Frank Martin stated that this Resolution was put into place when the city was using subcontractors for road work. Councilmember Fladmark stated that the resolution should be amended. Motion to Repeal Resolution 2013-02R, Procedures for All Major Road Work Repairs was made by Councilmember Figueroa. Motion Failed due to the lack of a second.

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16. **Council Comments** - *Hear announcements concerning matters appearing on the agenda; items of community interest; and/or inquiries of staff regarding specific factual information or existing policy from the Mayor, Councilpersons, and City staff, for which no formal action will be discussed or taken.*
 - A. Councilmember Fladmark thanked everyone for coming to the meeting and welcomed Municipal Judge Tanya Norris to the City of Tool
 - B. Councilmember Sayre thanked everyone for coming to the meeting and thanked the City Council and City Staff for his nomination of Councilmember of the Year
 - C. Bennett thanked everyone for coming to the meeting and congratulated Director of Maintenance and Operations Martin and Councilmember Sayre on their awards. Councilmember Bennett concluded by discussing the Butterfly Garden in the Eight at Tool park.
 - D. Councilmember Figueroa congratulated Director of Maintenance and Operations Martin and Councilmember Sayre on their awards. Councilmember Figueroa concluded by discussing funding that was approved during the January 13th, 2025 Special Council Meeting for the Park Events budget.
 - E. Councilmember Stykes congratulated Director of Maintenance and Operations Martin and Councilmember Sayre on their awards and thanked everyone for coming to the meeting.

17. **Staff Comments** - *Hear announcements concerning matters appearing on the agenda; items of community interest; Staff gives regards dealing with specific factual information or existing policy dealing within the City, that may have an impact on citizens, staff or the City Council of Tool. No formal action will be discussed or taken.*
 - A. Director of Maintenance and Operations Martin discussed current drainage issues and concluded by discussing the upcoming interviews for a park maintenance employee
 - B. Code Enforcement Officer Allen Anderson provided an update on the abatements located at 917 Hidden Valley and 201 West Will White
 - C. Building and Code Official LaCosta Davis provided an update on the new City Hall building
 - D. Court Clerk Stacy Hamaker stated that she was sad to see the former judge leave, Judge Pollock, but she was excited to work with Judge Norris
 - E. Chief of Police Robert Walker welcomed Judge Norris
 - F. City Controller Kimberly Kroha welcomed Judge Norris

18. **Closing**
 - A. Next Meeting: February 20th, 2025
 - B. Adjourn @ 7:19 p.m.

A meeting that is “open to the public”, pursuant to the Open Meetings Act, is one that the public is permitted to attend. The act does not entitle the public to choose the items to be discussed or to speak about items on the agenda. If the City Council, during the course of the meeting covered by this notice, should determine that an executive session is required, then such executive session, as authorized by the Texas Open Meetings Act, Texas Government Code, Section 551.001 et seq., will be held by the Council at the date, hour and place given in this notice, concerning but not limited to the following sections and purposes of the Act: 551.071 Private consultation with the city’s attorney; 551.072 Deliberations about Real Property; or, 551.074 Discussing personnel or to hear complaints against personnel. Should any final action, final decision or final vote be required

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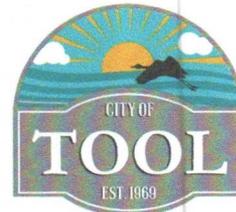
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in the opinion of the City Council regarding any matter considered in such executive session, then the final action, final decision or final vote shall be in the open meeting covered by this Notice upon the reconvening of the public meeting.

I certify that the above notice of meeting, a true and correct copy, was posted on the bulletin board in front of Tool City Hall prior to the required 72 hours and that the city's official newspaper was notified.

Mike Dumont, Mayor

Attest:



Kimberley Price, City Secretary