

Minutes

February 20th 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. Quorum was established with Mayor Dumont Presiding.
3. Invocation and Pledge of Allegiance

4. **Appointments, Presentations, Proclamations and Recognitions**

- (a) Receive construction update on the Eight at Tool park from Mayor Mike Dumont and Councilmember Vera Bennett

Mayor Dumont stated that a Park Construction Meeting was held on February 18th, 2025. Mayor Dumont continued by highlighting the following items in the Park: solar lighting, restrooms, marquee sign, trees/plants, recognition plaques, parking lot, and internet for the park. Mayor Dumont concluded by stating that the Grand Opening for the Eight at Tool Park would be held on April 26th, 2025.

Councilmember Bennett stated park progress was four weeks behind due to the recent weather but felt confident that the park would be completed before the grand opening.

5. **Citizen Comments:** Citizens wishing to speak on an agenda item must sign up to do so (**3 Minute Maximum**)

- A. Rodney McClain of the Tool Volunteer Fire Department discussed Calls for Service for the month of January 2025. McClain continued by discussing the new fire engine highlighting that this was the first piece of equipment that was purchased, as new, in the history of Tool. McClain concluded by discussing their ongoing fundraising efforts.
- B. Mark Holley spoke on the upcoming Emergency Services District Special Election that would be held in May. Holley continued by stating that the proposition would be to raise the tax rate from 0.03/100 valuation to 0.075/100 valuation. Holley concluded by stating that he would like to see the Emergency Services District tax rate increase to ensure that the firefighters have adequate essential equipment.

Public Hearings – *The Tool City Council shall open relevant public hearings to receive citizen testimony regarding the following items. The public comment period begins on the first date notice is published and extends to the close of the public hearing. Public comments may be submitted either in writing to the City of Tool City Council, Office of the City Secretary, 701 N. Tool Dr., Tool, TX 75143, or electronically via email at contact@tooltexas.org. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the city's public record.*

6. **Open, announce the time and conduct a public hearing to receive testimony on the following: Public Hearing was opened @ 6: 17 p.m.**

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7. Discuss a variance request by Alan Lynch and Neta Snyder, of Property ID 232018 in Henderson County Appraisal District Records, to allow a zoning variance that would allow a manufactured home to be placed in an R-1, Residential District. Alan Lynch was present and discussed his zoning variance request. Building and Code Official LaCosta Davis stated that Alan Lynch's plan was very detailed. Councilmember Bennett inquired that if the variance was approved, would the variance be tied to the individual or to the property to which Building and Code Official Davis stated that variances were tied to the property but that the City Council could tie it to the individual if it was stated in their motion. Alan Lynch further discussed his request by stating that his intention was to live in this manufactured home and concluded by stating that his surrounding neighbors had no issue with his variance request.

8. **Close public hearing and announce the time. Public Hearing was closed @ 6:23 p.m.**

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.*

9. Approve Minutes: January 13th, 2025 Special Meeting and January 16th, 2025 Regular Meeting. Councilmember Fladmark stated that he provided his recommended changes to the Minutes prior to the meeting. Motion to Approve Minutes: January 13th, 2025 Special Meeting and January 16th, 2025 Regular Meeting was made by Councilmember Fladmark with second by Councilmember Sayre. Motion Passed 5/0.
10. Approve Monthly Activity Reports for January 2025 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 Fladmark stated that he discussed the Municipal Court Report with City Controller Kimberly Kroha prior to the meeting. Mayor Dumont requested an update on a potential developer on Will White Road to which City Administrator Kizzee stated that he had not heard from this potential developer since January 2025. City Administrator Kizzee concluded by stating that he had informed the potential developer that a conceptual plan was needed to get the process started. Motion to Approve Monthly Activity Reports for January 2025 as presented was made by Councilmember Sayre with second by Councilmember Figueroa. Motion Passed 5/0.
11. Discuss and Take Action to approve the 2025 Racial Profiling Report as presented by the Chief of Police. Chief of Police Robert Walker presented the 2025 Racial Profiling Report describing its purpose which is to ensure no traffic stops were made due to racial profiling. Chief of Police Walker concluded by stating that the City of Tool Police Department did not show evidence of racial profiling since white males were not a minority for this area. Councilmember Stykes inquired if there were any major changes in this report compared to last year's report to which Chief of Police Walker stated that there was not a major change between the two reports. Councilmember

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Fladmark inquired if there was an increase in contraband this year to which Chief of Police Walker stated that he was sure there was an increase in contraband this year. Motion to Approve the 2025 Racial Profiling Report as presented by the Chief of Police was made by Councilmember Bennett with second by Councilmember Figueroa. 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:*

12. Discuss and Take Action on a request by Alan Lynch and Neta Snyder, of Property ID 232018 in Henderson County Appraisal District Records, to allow a zoning variance that would allow a manufactured home to be placed in an R-1, Residential District. Motion to Approve the variance request by Alan Lynch and Neta Snyder that would allow a manufactured home to be placed in an R-1, Residential District according to the plans as submitted was made by Councilmember Bennett with second by Councilmember Fladmark. Motion Passed 5/0.
13. Consider, Discuss and take action on authorization to issue requests for proposals (RFP) for administrative and plan development services for the Community Development Block Grant - Mitigation (CDBG-MIT) grant programs administered by the Texas General Land Office (GLO). City Administrator Kizzee discussed the purpose of this item highlighting the need to create a comprehensive plan. City Administrator Kizzee continued by stating that the Community Development Block Grant - Mitigation (CDBG-MIT) would include elements such as studies, zoning ordinance creation, analysis of street conditions and mapping. City Administrator Kizzee continued by stating that mapping will include current zoning, proposed land use map and current land use. City Administrator Kizzee continued by stating that according to GrantWorks, there are not out of pocket fees, including the fee to apply for the grant. City Administrator Kizzee continued by stating that all applicable fees that will go towards the grant would come from the administration of the grant. City Administrator Kizzee concluded by stating that the grant would take two years for completion, from receipt of award. John McElfish with GrantWorks provided an overview of the Community Development Block Grant - Mitigation (CDBG-MIT) grant program highlighting that it included a ten-year comprehensive plan. Councilmember Bennett inquired if drainage would be included in the comprehensive plan to which John McElfish stated that drainage would be included in this plan and that a full drainage study would be done for the entire city. McElfish continued by stating that this grant did not require matching funds. Mayor Dumont inquired if the grant funds were managed through the state or through the federal government to which McElfish stated that while the funds were federal funds, the Texas General Land Office (GLO) is in control of the funds and is the administrator of the funds. Councilmember Stykes inquired about the timeline of the project if awarded to which John McElfish stated that it was a 24-month project. Councilmember Fladmark inquired if GrantWorks were optimistic that they would receive funding for this project, to which McElfish stated that he was very confident that this project would be funded. Councilmember Fladmark inquired what the next steps

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would be for the city to which McElfish discussed the Request for Proposals (RFP) process. Councilmember Sayre inquired if there were other Grant Administrators besides GrantWorks to which City Administrator Kizzee stated that, yes, there were other companies that would also have the ability to provide a proposal for this project. Motion to Authorize the City Administrator to issue requests for proposals (RFP) for administrative and plan development services for the Community Development Block Grant - Mitigation (CDBG-MIT) grant programs was made by Councilmember Bennett with second by Councilmember Sayre. Motion Passed 5/0.

14. Consider, Discuss and Take Action regarding the Municipal Materials Management Agreement with Allied Waste Systems, doing business as Republic Services of Corsicana, set to expire on July 1st, 2025. City Administrator Kizzee stated that the current agreement has a 120-day renewal period, and he had asked Municipal Services Manager Christy Green to the meeting to answer any questions the City Council had in regard to a new agreement. Councilmember Figueroa inquired if a more competitive rate on commercial dumpsters were possible. Mayor Dumont inquired if more dumpsters could be provided for bulk pickup during the Trash Off and during City Cleanup. Christy Green stated that all requests would be considered as part of negotiations. Green continued by highlighting the increase in recycling year to date. Councilmember Fladmark inquired if an electronic recycling day could be added to the contract to which Green stated that it would be considered as part of negotiations as well. Motion to Take Action regarding the Municipal Materials Management Agreement with Allied Waste Systems, doing business as Republic Services of Corsicana, set to expire on July 1st, 2025 was made by Councilmember Fladmark with second by Councilmember Stykes. Motion Passed 5/0. Councilmember Fladmark asked that all items of interest be submitted to the Council after the completion of the contract to which City Administrator Kizzee stated that he would ensure the Council received all items.
15. 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. Danny Henderson of the Texas Department of Transportation, Athens, Texas office presented a PowerPoint highlighting the responsibility of the City of Tool versus the responsibility of Texas Department of Transportation if this agreement was entered into.
 - Councilmember Sayre asked questions regarding drainage on Highway 274 and the need for a traffic light at the Arnold Hills Road intersection
 - Mayor Dumont inquired regarding Right of Way (ROW) responsibilities along Highway 274,
 - Councilmember Fladmark asked questions regarding culverts on Highway 274 and lane expansion on Highway 274
 - Councilmember Bennett asked questions regarding driveway permits on Highway 274
 - Councilmember Figueroa stated the need for a traffic light at Arnold Hills Road intersection and a crosswalk for restaurants on Highway 274

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- Councilmember Sayre inquired on the difference between spot litter and debris on Highway 274

Director of Maintenance and Operations Frank Martin stated that his team has and always will collect debris along the highway and throughout the City of Tool and that they would only reach out to the Texas Department of Public Safety (TXDOT) if it was truly needed. Motion 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 was made by Councilmember Fladmark with second by Councilmember Sayre. Motion Passed 5/0.

Ordinance Readings

16. Discuss and Take Action, on first reading, to Adopt Ordinance 2025-01, Drainage Design Standards. City Administrator Kizzee stated the purpose of this ordinance was to apply standards for building to ensure we are not adding to the existing drainage issue. City Administrator Kizzee continued by discussing the proposed ordinance by highlighting the permitting process, engineered plan review and remedy to drainage issues. Councilmember Sayre discussed drainage issues in Paradise Bay stating that a newly built home caused an existing home to flood due to water having nowhere to go. Councilmember Sayre continued by stating that the builder of the new home nor the existing homeowner did anything wrong but because of the drainage issue, this problem is serious. Mayor Dumont stated concerns that if this ordinance is approved, someone could potentially flood out their neighbors due to the differing size in culverts. Building and Code Official LaCosta Davis stated that most of the affected are due to the existing homes being built below street grade. Building and Code Official Davis continued by stating that another issue along with drainage is the lack of easements in the City of Tool. Building and Code Official Davis continued by stating that since most of the drainage issues are on private property and there is nothing the city could do until citizens sign over easements to the city. Councilmember Sayre stated that due to significant differences in culvert sizes and damage to the culverts, it makes the drainage issue much worse. Councilmember Sayre continued by stating that over the next year, the primary focus of the City Council needs to be infrastructure and drainage. Councilmember Bennett expressed concern on the potential liability to the city if the city gives the blessing for a new home to be built. City Administrator Kizzee stated that the ordinance does state that the city can elect to bring in a third-party engineer to review and that a drainage plan would be required. City Administrator Kizzee continued by stating that the ordinance language could be amended to require all new construction to require a drainage plan. Councilmember Fladmark inquired what the cost would be for a drainage study if one was needed prior to a permit being issued to which City Administrator Kizzee stated that he was unsure since all permit fees are calculated by square footage. Building and Code Official Davis stated that the permit fees would have to be adjusted since there would now be additional fees due to engineer review costs. Councilmember Fladmark stated that when he reviewed Henderson County's drainage ordinance, it was noted that there was a definitions section included. Councilmember Fladmark continued by stating that he felt there should be a definitions section in the City of Tool's ordinance as well since it would provide clarity to the ordinance. Councilmember Figueroa stated that he felt the City should fix sections of drainage where

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we are able to. Motion to Table Item 16 was made by Councilmember Sayre with second by Councilmember Bennett. Motion Tabled 5/0.

Mayor Dumont requested to move to Item 18 next then return to Item 17.

17. **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 Stykes thanked everyone for coming to the meeting
 - B. Councilmember Figueroa thanked everyone for coming to the meeting
 - C. Councilmember Bennett thanked everyone for coming to the meeting. Councilmember Bennett continued by stating that the Council was taking drainage seriously and concluded by providing an Eight at Tool Park update.
 - D. Councilmember Sayre thanked everyone for coming to the meeting and concluded by stating that drainage was important and would like to see drainage be the priority
 - E. Councilmember Fladmark thanked everyone for coming to the meeting and for their perseverance throughout the meeting
 - F. Mayor Dumont thanked everyone for coming to the meeting and discussed the upcoming Grand Opening for the Eight at Tool Park and the City Hall
18. **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 Frank Martin stated that his department was working on a drainage solution that would not divert water onto others
 - B. Code Enforcement Officer Allen Anderson discussed an update on the abatement located at 917 Hidden Valley
 - C. City Clerk Alicia Keith discussed the following upcoming events: Ribbon Cutting & Open House for City Hall and Grand Opening for the Eight at Tool Park.

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- D. Court Clerk Stacy Hamaker discussed Warrant Round Up which starts February 22nd, 2025, and the new Municipal Court Judge, Judge Norris.
- E. Chief of Police Robert Walker discussed the upcoming Police Department Remodel
- F. City Controller Kimberly Kroha provided an update on FY 2022-2023 Audit

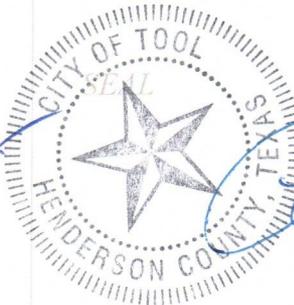
19. Closing

- A. Next Meeting: March 20th, 2025
- B. Adjourn @ 8:11 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 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