

Minutes

November 20th, 2025 @ 6:00 p.m.

Regular Council Meeting
Oran White Civic Center
701 N Tool Drive
Tool, TX 75143



1. Call to Order @ 6:01 p.m.
2. Roll Call: Bennett, Dumont, Figueroa, Salvato, Sayre, Stykes. All Present. Quorum was established with Mayor Bennett Presiding.
3. Invocation and Pledge of Allegiance
4. Declare, if any, Council's Conflicts of Interest. No Conflicts of Interest from Present Councilmembers
5. **Citizen Comments:** Citizens wishing to speak on an agenda item must sign up to do so **(3 Minute Maximum)** *The Council will not comment on items not on the agenda; however, the Council may refer the item to City Staff for research, resolution or referral of the matter to the Council as a future agenda item.*
 - A. Emergency Services District Four Board President Allen Anderson provided an update regarding purchases made for the Emergency Services District since the passing of an increase in taxes for the district
 - B. Lana Ahrens spoke on Item 15 during Citizens Comments
 - C. Becky Young spoke on Item 15 during Citizens Comments
 - D. Tool Fire Chief Rodney McClain and Lieutenant Randall Newkirk provided the Fire Department activity reports for the past 30 days
 - E. Eileen Jensen spoke on Item 14 during the time of the item
 - F. Michael Fladmark spoke on Item 14 during the time of the item
 - G. Leslie Anderson spoke on Item 15 during the time of the item
 - H. Marsha Goforth spoke on Item 15 and Item 17 during the time of the items
 - I. La Mon Chaney spoke on Item 15 during the time of the item
 - J. Rusty Henry spoke on Item 15 during the time of the item
 - K. Dianne Carroll spoke on Item 15 and Item 17 during the time of the items
 - L. Michael Fladmark spoke on Item 15, Item 17 and Item 18 during the time of the items
6. **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. City Secretary Kimberley Price explained the purpose of reappointing the Mayor Pro-Tem position
 - B. Director of Maintenance and Operations Frank Martin provided an update on the Maintenance Barn Project
 - C. Building Technician Heath Hamaker highlighted the influx of new construction permits this past month
 - D. City Clerk Alicia Keith discussed the turnout for the recent blood drive event hosted by Carter BloodCare
 - E. Court Clerk Stacy Hamaker provided an overview of the court monthly statistics which included how many cases were opened and closed in the court

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- F. Chief of Police Robert Walker presented an overview of the police monthly statistics which included the amount of warnings versus citations issued. Chief of Police Walker concluded by discussing the completion of the Police Department Remodel.
- G. City Administrator Kizzee presented his monthly Executive Summary and highlighted the Paradise Bay Subdivision Drainage Phase 1A Project, the Neighborhood-A-Week program and concluded by discussing the completion of the ramp at the entrance of city hall.

Election

7. Consideration and appointment of Mayor Pro-Tem. Motion to Appoint Councilmember Figueroa as Mayor Pro-Tem was made by Councilmember Sayre with second by Councilmember Dumont. Motion Passed 5/0.
8. Install newly appointed Mayor Pro-Tem. City Secretary Kimberley Price swore in Councilmember Figueroa as Mayor Pro-Tem by means of Statement of Appointed Officer and Oath of Office.

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: October 16th, 2025 Regular Meeting. Motion to Approve Minutes: October 16th, 2025 Regular Meeting was made by Councilmember Dumont with second by Councilmember Sayre. Motion Passed 5/0.
10. Approve Monthly Activity Reports for October 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 inquired regarding Hotel Occupancy Tax Funds and Councilmember Dumont inquired regarding being over budget in regard to revenues for the Animal Control budget line item. Motion to Approve Monthly Activity Reports for October 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 was made by Councilmember Dumont with second by Councilmember Stykes. 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:*

11. Consider and select a candidate, in accordance with Section 6.03 of the Texas Property Tax Code, to serve on the Henderson County Appraisal Board of Directors. City Secretary Price presented this item highlighting the need to select a candidate to serve on the Henderson County Board of Directors. City Secretary Price continued by stating that in previous months, the City Council made two nominations to be placed on the ballot however, it was now time to cast the official ballot. Motion to, in accordance with Section 6.03 of the Texas Property Tax Code, to select Michael Fladmark to serve on the Henderson County Appraisal Board of Directors and to receive all of Tool's 51 votes was made by Councilmember Figueroa with second by Councilmember Stykes. Motion Passed 5/0.

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12. General Discussion regarding a pathway bridge being constructed between the Eight at Tool Park and Tool Cedar Trails. Councilmember Dumont stated that he was not opposed to the idea of a bridge, however, he believed the bridge would only be used sparingly. Mayor Bennett stated that she felt that a bridge would be beneficial to the citizens of the Tool Cedar Trails community. Councilmember Stykes stated that the bridge would only benefit 50 people and that the associated cost would not be worth it. Councilmember Sayre stated that while the bridge would be a good project, there were many other projects that were either in progress or outstanding that should be completed first.
13. General Discussion on future road projects throughout the City of Tool. Councilmember Sayre presented this item highlighting there were several streets that were breaking off into the ditches and that there were several streets that needed to be widened. City Administrator Kizzee stated that this project would be massive and require financing, however, it was something that would be needed sooner rather than later. Councilmember Dumont stated that in addition to roads being widened, improvement to the drainage to prevent further destruction of the roads was needed as well. Director of Maintenance and Operations Martin discussed the cost associated of major road repair and concluded by stating that there were still two miles of roads that were not paved during both of the major road projects. Councilmember Figueroa stated that fixing the road issues were needed but that major financing for a project of that size would be needed.
14. General Discussion on a citywide Telehealth Program Partnership with MD Health Pathways. Councilmember Figueroa presented this item and highlighted the need for affordable access to virtual doctor's visits. Councilmember Figueroa continued by stating that in other cities, the cost is factored into the citizens' water bills, however, that would not work in Tool. Councilmember Figueroa continued by discussing the program by highlighting the ability for households to receive virtual doctor's visits within minutes for basic illnesses and that the cost of the program would be \$5 per month per household. Councilmember Figueroa continued by stating that this program would not be considered health insurance but rather a concierge service for all citizens. Councilmember Figueroa continued by discussing the need for some level of health benefits to the City of Tool and concluded by discussing possible funding structures for this initiative. Mayor Bennett inquired where in the budget could funds for the project be pulled from to which Councilmember Figueroa stated that the Capital Improvement Fund could be used for this project. Councilmember Figueroa concluded by stating that sponsorships for this program would also be beneficial. Councilmember Stykes inquired how this program worked in other cities to which Councilmember Dumont discussed how this program worked in the city of Mabank. Mayor Bennett inquired regarding the registration process for this project to which Councilmember Figueroa stated that the city currently had resources to identify and contact all of the residents of Tool for enrollment into the program if the program was rolled out. Councilmember Figueroa concluded by stating that he would

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further research this project and bring it back to the City Council in the future.

15. Consider, Discuss and Take Action on terminating the contract between the City of Tool and the Eight at Tool 501(C) Non-Profit Corporation. Mayor Bennett stated that she had spoken with the City Attorney regarding this situation and was assured that no one's rights were violated and there was not any discrimination towards anyone at past Eight at Tool events. Mayor Bennett continued by stating that during the conversation with the City Attorney, it was determined that she did not have a conflict of interest being the Mayor of Tool and being the Director for the Eight at Tool Park Board. Councilmember Dumont stated that she would have a conflict of interest since she is on the Park Board and the Mayor. Mayor Bennett once again stated that per the City Attorney, there was not a conflict of interest. Mayor Bennett continued by stating that she chosen to resign from the Park Board this afternoon on her own volition. Mayor Bennett continued by stating that after discussing the issues leading up to this agenda item with the City Attorney, the city is within their rights to exclude individuals from causing issues at the park. Mayor Bennett continued by stating that Pam Skaggs and the whole Eight at Tool Park board had done a wonderful job and that going forward, she recommend that City Administrator Kizzee be the liaison between the City of Tool and the Eight at Tool Park Board to negotiate the terms of the contract. Councilmember Figueroa stated that the contract that was being discussed was drafted between himself and Mayor Bennett. Councilmember Figueroa stated that the contract needed to be amended to include a social media policy and an anti-discrimination policy. Councilmember Figueroa continued by stating that the funds used to build the park were public funds and you cannot discriminate with public funds. Councilmember Figueroa continued by stating that if the park were to be rented, vendors would be required to sign a contract agreeing to the policies in the contract which would include a social media policy and a non-discrimination policy. Councilmember Figueroa continued by stating that the City of Tool was previously the Eight at Tool Park Board but then the park board was turned over to a citizen-ran board with Mayor Bennett as the non-voting Director of the Park Board. Councilmember Figueroa continued by stating that one of the proposed amendments was to remove all city staff and Councilmembers from the Eight at Tool Park Board. Councilmember Figueroa continued by stating that as of today, all city staff and City Councilmembers had resigned from the Eight at Tool Park Board. Councilmember Figueroa continued by discussing an incident in the park which a person applied to be a vendor at the Eight at Tool Park in which the person cites being denied a vendor space due to discrimination and posts on social media. Councilmember Figueroa continued by discussing how the Eight at Tool Park Board committees were saying hateful things about political candidates on social media and how that was improper since the committees represented the City of Tool. Councilmember Figueroa continued by stating that this item was not about him, but rather amending the contract to better protect the City of Tool. Councilmember Figueroa continued by stating that this was a boiler plate item since it was dealing with social media policies and non-discrimination policies and that the park board should just sign the amendment to the contract and the contract would not be cancelled. Councilmember Figueroa

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continued by stating that this item was blown up and that the park was not going anywhere and would still be open to the public. Councilmember Figueroa continued by stating that he posted his contract amendment on the Tool Message Board for the city councilmembers to view and comment on. Councilmember Figueroa continued by stating that he reached out to the Eight at Tool Park Board regarding the proposed contract amendment and asked them to explain what they did not like about the amendment and to stop attacking him on social media.

Councilmember Figueroa continued by stating that the amendment was only to clean up the missing items from the original contract. Councilmember Stykes stated that while he applauded the idea of amending the contract, he felt that Councilmember Figueroa went the wrong way about it and should have handled the situation differently. Councilmember Dumont stated that the purpose of this item was to amend the contract and not cancel the contract.

Mayor Bennett stated that the agenda language was to decide whether to terminate the contract. Mayor Bennett requested that City Administrator Kizzee be afforded the opportunity to negotiate the terms of the contract with the Eight at Tool Park Board. Mayor Bennett continued by stating that when you negotiate there is give and take, not just these are the terms or else.

Councilmember Figueroa inquired if the City Council had any recommended changes to the contract and continued by stating that he had reached out to the Eight at Tool Park Board for their recommended changes and did not hear back from anyone. Councilmember Dumont stated that a social media policy was needed and that the existing City of Tool Social Media Policy could be a great outline for this. Mayor Bennett stated that Councilmember Salvato had brought a draft social media policy to the Park Board in the past, however, it was a draft copy only. Mayor Bennett continued by stating that the Park Board was willing to sign a social media policy, however, the current policy would be overreaching from a volunteer standpoint.

Mayor Bennett continued by requesting that Councilmember Figueroa allow the Park Board the opportunity to meet with City Administrator Kizzee to negotiate the terms of the contract.

Councilmember Dumont inquired regarding the funding proposal in the contract to which Councilmember Figueroa explained that if the park board were to use all of their funds, the city would fund them up to \$40,000.00 from the Hotel Occupancy Tax Fund. Mayor Bennett stated that the current contract gives the Park Board \$42,000.00 from the Hotel Occupancy Tax Fund plus an extra \$14,000.00 and requires them to fundraise any additional funds to meet their budget. Mayor Bennett continued by stating that City Administrator Kizzee should be given the opportunity to meet with the Park Board and negotiate the terms of the proposed contract. Mayor Bennett concluded by stating that she felt that this proposed contract was a take it or leave it against the park board and that she did not feel that it was fair and correct.

Councilmember Stykes stated that agenda item was to either terminate or not terminate the contract. Councilmember Stykes requested that the City Council push this item to the next meeting which would allow the City Administrator to meet with the Park Board over the proposed contract. Councilmember Salvato stated that he was on the Park Board for six months prior to being elected to the City Council. Councilmember Salvato continued by stating that he commended everyone for their hard work on and for the park but that there was a lot more to this than what is being discussed tonight. Councilmember Salvato continued by stating that

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there was more involved in managing the park than what he realized during his time serving on the Park Board. Councilmember Salvato continued by stating that the ball had been dropped by the City of Tool and Eight at Tool Park Board and that they were couplable in instances of not verifying sales tax permits and health permits to name a few. Councilmember Salvato continued by stating that Councilmember Figueroa had drafted a good proposal and that if he is willing to wait a month to give the Park Board a chance to negotiate so the issues can be resolved, he could agree for this resolution as well. Councilmember Salvato continued by stating that there was currently not a chain of command or a direct contact person to hold events in the park. Mayor Bennett stated that in regard to the sales tax permits and health permits, that having these permits were required per the current contract in which she had helped draft. Mayor Bennett continued by stating that in regard to scheduling rentals at the park, that was a city function and not a Park Board function. Mayor Bennett continued by stating that she had worked with City Administrator Kizzee over the past few months and have found a solution to scheduling at the park. Councilmember Figueroa stated that all funds raised during the park events are being kept by the park entirely. Councilmember Figueroa continued by stating that, in time, the park should be self-funded and that he did not agree with advancing the money to the park board but would rather provide funds on a reimbursement basis. Councilmember Figueroa concluded by stating that this proposed amendment to the contract is so simple and that it was just shoring up some things that should have been in the contract originally. Motion to Table Action on terminating the contract between the City of Tool and the Eight at Tool 501(C) Non-Profit Corporation was made by Councilmember Dumont with second by Councilmember Figueroa. Motion Tabled 5/0.

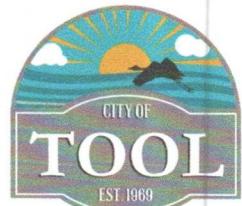
Mayor Bennett adjourned the meeting at 8:01 p.m. for a 10 minute break. The meeting reconvened at 8:12 p.m.

16. General Discussion on hiring a part-time parks position. City Administrator Kizzee stated that he felt that the park contract should be ironed out first then the city could decide on what direction to take in regard to hiring a part-time person. Councilmember Stykes stated that he felt that a part-time park position was needed. Councilmember Salvato stated that he felt that instead of a part-time parks position the city hire a parks consultant.
17. Consider, Discuss and Take Action to rescind the motion to “Allocate funds from the Capital Improvement Account for the construction of a Maintenance Barn, in the amount of \$447,778.08,” on March 20th, 2025. Mayor Bennett stated that she did not agree with this agenda item since it was previously voted on to pay cash for this project and to not finance the project. Motion to Suspend the Rules was made by Councilmember Figueroa with second by Councilmember Salvato. Motion Passed 4/1. Councilmember Stykes Opposed. Motion to Allocate funds from the Capital Improvement Account for the construction of a Maintenance Barn, in the amount of \$447,778.08,” on March 20th, 2025 was made by Councilmember Figueroa with second by Councilmember Dumont. Motion Passed 4/1. Councilmember Stykes Opposed.

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18. Consider, Discuss and Take Action, to finance the construction of a Maintenance Barn. Motion to finance the construction of a Maintenance Barn was made by Councilmember Figueroa with second by Councilmember Sayre. Motion Passed 4/1. Councilmember Stykes Opposed.
19. Consider, Discuss and Take Action, for the City of Tool to enter into an agreement for a municipal financial advisor with Government Capital. Drew Whittington from Government Capital (GovCap) presented this item. Mr. Whittington stated that Government Capital (GovCap) already had a relationship with the City of Tool from their financing of the Police Tahoe's. Mr. Whittington continued by stating that Government Capital (GovCap) could provide the City of Tool guidance in terms of the current and future health of the city. Mr. Whittington continued by stating that his role as an advisor would be to help the city determine best practices in regard to bonds, financing future projects and audit preparation to name a few. Mr. Whittington concluded by stating that he would love for the city to continue their relationship with Government Capital (GovCap). Motion to Take Action, for the City of Tool to enter into an agreement for a municipal financial advisor with Government Capital was made by Councilmember Figueroa with second by Councilmember Dumont. Motion Passed 5/0.
20. Consider, Discuss and Take Action, for the financing of a 30 P-Tier Compact Excavator for the City of Tool. City Administrator Kizzee presented the three financing options that were received.

Government Capital provided the following:

Loan Amount	Interest	# of Payments	Amount of Payments (Yearly)
\$65,943.75	5.116%	5	\$13,188.75
\$69,363.00	5.203%	7	\$9,909.00

John Deere provided the following:

Loan Amount	Interest	# of Payments	Amount of Payments (Monthly)
\$64,846.20	6.35%	60	\$1,080.77

Simmons Bank provided the following:

Loan Amount	Interest	# of Payments	Amount of Payments (Monthly)
\$62,867.69	5.00%	60	\$1,047.80
\$64,779.83	5.20%	72	\$899.72
\$66,855.22	5.40%	84	\$795.52

City Administrator stated that he would recommend the City Council to heavily consider Government Capital for a five-year term in regard to good value for the city and based on the current relationship

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with Government Capital. Councilmember Figueroa inquired if the equipment was available for pickup immediately after payment and Councilmember Dumont inquired if the quote for the excavator was still valid since the quote expiration date had passed. City Administrator Kizzee stated that yes, after payment the excavator was available and yes the vendor agreed to honor the quote price. Mayor Bennett inquired if there were any prepayment penalties to which Drew Whittington with Government Capital (GovCap) stated that the loan could be paid off in full sooner after the loan matures around year three. Councilmember Figueroa inquired if this funding would be considered a tax note to which Mr. Whittington stated that this was not a tax note, just financing. Mayor Bennett inquired if the loan amounts included the interest fees to which City Administrator Kizzee stated that the loan amounts presented included interest fees. Motion to Take Action, for the financing of a 30 P-Tier Compact Excavator for the City of Tool with Government Capital for a five-year term was made by Councilmember Figueroa with second by Councilmember Sayre. Motion Passed 5/0.

Ordinance Readings

21. Consider, Discuss and Take Action, on first reading, to Adopt Ordinance 2025-07, TMRS Rate Match. City Administrator Kizzee presented this item by highlighting that this was a budgeted line item for employee retirement. City Administrator Kizzee continued by stating that if passed, this item would go into effect January 1st, 2026. Motion to on first reading, Adopt Ordinance 2025-07, TMRS Rate Match was made by Councilmember Dumont with second by Councilmember Sayre. Motion Passed 5/0.

Resolution Adoption

22. Consider, Discuss and Take Action, on first reading, to Adopt Resolution 2025-08R, Reimbursement for Tool Projects. City Administrator Kizzee stated that the City Council, by resolution, could claw back monies from projects during the past 60 days and forward up to 18 months in the future. City Administrator Kizzee continued by stating that the projects during the past 60-day period would include the Police Department remodel, the Paradise Bay Subdivision Drainage Phase 1A Project and some of the Maintenance Barn project. City Administrator Kizzee continued by stating that the amount of claw back would be \$436,000.00 if this resolution was adopted. City Administrator Kizzee continued by discussing the changes in amount from the Meeting Packet highlighting that the claw back was for only 60 days prior, not the entirety of the project, after further conversations with GovCap. Councilmember Stykes inquired if the passage of this resolution could increase the tax rate for next year to which City Administrator Kizzee stated that yes, the passage of this resolution could increase the debt rate next year which would in turn possibly increase the tax rate. Councilmember Figueroa stated that he did not see this resolution affecting that tax rate next year. Mayor Bennett stated that incurring more debt would place the burden on the citizens who are under 65 years old due to the senior tax freeze last fiscal year. Motion to, on first reading, to Adopt Resolution 2025-08R, Reimbursement for Tool Projects was made by Councilmember Dumont with second by Councilmember Sayre. Motion Passed 4/1. Councilmember Stykes Opposed. City Administrator Kizzee requested a Point of Order to which Mayor Bennett gave City Administrator Kizzee the floor. City Administrator Kizzee requested that the City Council could return to Item 22 as an amount was needed in the motion. City Administrator Kizzee inquired if a Motion to Rescind the previous motion was needed to which City Secretary Price stated that a Motion to Rescind was needed. Motion to Rescind the motion of Motion to on first reading, to Adopt Resolution 2025-08R,

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Reimbursement for Tool Projects was made by Councilmember Figueroa with second by Councilmember Sayre. Motion Rescinded 5/0. Motion to, on first reading, to Adopt Resolution 2025-08R, Reimbursement for Tool Projects for an amount up to \$450,000.00 was made by Councilmember Figueroa with second by Councilmember Dumont. Motion Passed 4/1. Councilmember Stykes Opposed.

23. Consider, Discuss and Take Action, on first reading, to Adopt Resolution 2025-09R, Excavator Financing. City Administrator Kizzee stated that since the City Council chose to finance with Government Capital, Government Capital required this signed resolution to move forward with financing. Motion to on first reading, to Adopt Resolution 2025-09R, Excavator Financing was made by Councilmember Sayre with second by Councilmember Figueroa. Motion Passed 5/0.
24. Consider, Discuss and Take Action, on first reading, to Adopt Resolution 2025-10R, Tool Federal Procurement Policy. City Administrator stated that he had met with GrantWorks and that this resolution needed to be signed for them to continue forward with the Community Development Block Grant-Mitigation (CDBG-MIT) Grant. City Administrator Kizzee continued by stating that the primary focus of the grant would be the creation of a drainage plan of the city. Councilmember Dumont stated that this resolution was a requirement to be in good standing to receive grant funds. Motion to on first reading, to Adopt Resolution 2025-10R, Tool Federal Procurement Policy was made by Councilmember Stykes with second by Councilmember Figueroa. Motion Passed 5/0.
25. **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 Dumont thanked everyone for coming to the meeting, wished everyone a happy thanksgiving and presented a check for the Eight at Tool Park
 - B. Councilmember Sayre thanked everyone for coming to the meeting and wished everyone a happy thanksgiving
 - C. Councilmember Salvato thanked everyone for coming to the meeting and wishing everyone a happy thanksgiving
 - D. Councilmember Stykes thanked everyone for coming to the meeting and wished everyone a happy thanksgiving
 - E. Councilmember Figueroa thanked everyone for coming to the meeting and wished everyone a happy thanksgiving
26. **Closing**
 - A. Next Meeting: December 18th, 2025
 - B. Adjourn – Motion to Adjourn was made by Councilmember Dumont with second by Councilmember Sayre. Motion Passed 5/0. Meeting adjourned @ 9:17 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

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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.

Attest:

Kimberley Price, City Secretary

Vera Bennett

Vera Bennett, Mayor

