KENNEDALE CITY COUNCIL MINUTES

REGULAR MEETING | APRIL 15, 2025 AT 5:30 PM
CITY HALL COUNCIL CHAMBERS | 405 MUNICIPAL DRIVE, KENNEDALE, TX 76060

I. CALL TO ORDER Mayor Brad Horton called the meeting to order at 5:30 p.m.

Mayor Brad Horton called the meeting to order at 5:30 p.m.

A. ROLL CALL

The Mayor and all other members of the City Council were in attendance, thus constituting a quorum.

The City Manager, City Secretary, department directors, and other various staff were also present.

B. INVOCATION AND PLEDGES OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS

"Honor the Texas Flag; I Pledge Allegiance to Thee, Texas, One State under God; One and Indivisible."

Place 5 Nevarez offered the invocation, followed by the pledges to the American and Texas flags led by Mayor Pro Tem Michels.

II. PUBLIC COMMENT

The Kennedale City Council welcomes comments from the public. Those wishing to speak must sign in prior to the start of the meeting. Speakers may speak on any topic, whether on the agenda or not. The Kennedale City Council cannot act upon, discuss issues raised or make any decisions at this time. Speakers under citizens' comments shall observe a three-minute time limit. Inquiries regarding matters not listed on this agenda may be referred to staff for research and/or possible future action by the board.

Bryant Griffith, 912 Greenfield Ct., spoke regarding possible City Council ethics violations.
Sara Johnson, 221 Village Ct., expressed a complaint regarding Mayor Horton.

III. PRESENTATIONS

Mayor Horton moved the Proclamation declaring April 2025 as Child Abuse Prevention month to the beginning of the presentations. All other presentations were delivered as listed on the agenda.

A. Recognition of the Kennedale Wildcat's State Championship Men's Basketball Team.

Mayor Brad Horton, City Council and City Staff presented the Kennedale Wildcat's State Championship Men's Basketball Team with certificates in recognition of their State Championship Title.

B. Recognition of the Keep Texas Beautiful 2025 Gold Star presented to Keep Kennedale Beautiful.

The Keep Kennedale Beautiful Board was recognized by the City Council for being awarded the Keep Texas Beautiful 2025 Gold Star.

C. Proclamation Declaring April 2025 as Child Abuse Prevention Month in the City of Kennedale.

The Mayor and City Council presented a Proclamation Declaring April 2025 as Child Abuse Prevention Month in the City of Kennedale.

D. Proclamation Declaring May 2025 as Building Safety Month in the City of Kennedale.

Mayor Horton and the City Council presented a proclamation to Community Development Director Nathan Gonzales declaring May 2025 as Building Safety Month.

E. 2024 City of Kennedale Public Works Annual Report.

Director of Public Works Kristian Sugrim presented the 2024 Annual Departmental Report to the City Council, outlining the department's achievements, projects, and ongoing commitment to the City of Kennedale.

Mr. Sugrim began by reaffirming the department's mission: to preserve and enhance public safety and quality of life for Kennedale residents by delivering exceptional services in planning, engineering, operations, and maintenance of public infrastructure.

He highlighted several key infrastructure improvements completed over the past year, including upgrades to Collett Sublett Road and Swiney Hiett Road, as well as multiple smaller concrete panel replacements across the city. Additional enhancements include SCADA programming upgrades, sanitary sewer system repairs, and improvements to the parks' system. The department also carried out cleanup and beautification projects along Kennedale Parkway, Oak Ridge Trail, Story Walk, and Eden Road.

The report also addressed regulatory compliance efforts with the Texas Commission on Environmental Quality. Mr. Sugrim noted that the department successfully renewed the MS4 permit and completed the Consumer Confidence Report, which has been made available to the public.

In addition to infrastructure and compliance, the department actively participated in community events throughout the year. Public Works hosted the annual KidFish event at Sonora Park and supported several other city events, including Hometown Christmas, Bring-It, TX Trash-Off, Touch-a-Truck, and more, in collaboration with other city departments.

F. 2024 City of Kennedale Economic Development Corporation Annual Report.

Chelsea Petty presented the 2024 City of Kennedale Economic Development Corporation Annual Report. Ms. Petty highlighted city events that saw a great increase in attendance during the previous year, including a 10-fold increase in kid fisherman at KidFish which hosted 3,000 people during the event, and noted that more than 6,000 people attended Hometown Christmas in 2024.

Ms. Petty advised the council and public of new businesses that had opened or would be opening soon including: AJ's Tackle Box, Beard's Towing, A new facility at Southwest Ambulance, Chipotle Mexican Grill, the YMCA, Equipmentshare, The Learning Experience, Glider Express, Texas Damage, and LBK Roofing. Ms. Petty announced that the DG Fresh Market, Small Offices/Warehouse on Corry Edwards, RV Sales, two restaurants with outdoor dining and a Hotel have started the planning process of coming to Kennedale.

IV. REGULAR SESSION

A. REPORTS AND ANNOUNCEMENTS

In addition to any items below, the Kennedale City Council, the presiding officer, and/or staff may give or receive reports regarding items of community interest, including, but not limited to, recognition of officials, citizens, staff, or departments; information regarding holiday schedules; and upcoming or attended events.

1. Updates from the City of Kennedale Mayor and City Council.

The City Council and Mayor gave updates on items of public interest, including congratulating Ms. Bertha Vindel and the Municipal Court for receiving a Municipal Traffic Safety Initiatives (MTSI) Award for their commitment to traffic safety from the Texas Municipal Courts Education Center (TMCEC), attendance at the TML Regional 8 meeting, a Mayor's Meeting with Everman and Forrest Hil to address a possible extension of a roadway, and congratulated the Kennedale Wildcats State Basketball Champions.

2. Updates from the City of Kennedale City Manager.

   a. Basin B Interceptor Sewer Line

   b. Hillside Sewer Line

c. Ground Storage Water Tank.

City Manager Darrell Hull provided an update on several key infrastructure projects currently in progress or expected to begin soon, such as the Basin B Interceptor Sewer Line, the Hillside Sewer Line and an update to the Ground Storage Tank. Mr. Hull noted the water tank had been taken down and was on par to be compled by the end of August.

3. Financial Reports for the City and/or the EDC.

Finance Director Jonathan Horton gave a review of the City of Kennedale financials to the City Council. The review highlighted property tax revenues which were received year to date at 97.8% of the projected budget, sales tax revenue, and the balance of the funds. The General Fund balance year-to-date is at 209 days of total budgeted expenditures per Mr. Horton.

   a. Quarterly Investment Reports.

Mr. Horton then reviewed the Quarterly Investment Report with the Council. Mr. Horton advised that the report presents an overview of the City of Kennedale's investment portfolio and shows how the portfolio was structured and performed during the previous quarter.

B. CONSENT AGENDA

These matters have appeared on previous agendas, require little or no deliberation, or are considered routine or ministerial tasks. If discussion is desired, items may be removed for separate consideration.

1. March 18, 2025 City Council Minutes.

2. Interlocal Agreement for Administrative Costs Funding for Section 5310 between the Fort Worth Transportation Authority and the City of Kennedale.

3. Amended Minutes of the March 7th and March 8th Special City Council Meeting.

Mayor Pro Tem Michels made a motion to approve the consent agenda.

Place 5 Nevarez seconded the motion.
No opposition, No abstentions
Vote: Motion passed unanimously

C. ITEMS FOR INDIVIDUAL CONSIDERATION, DISCUSSION AND/OR ACTION

1. Discuss and take action on the approval of the independent auditor’s Annual Comprehensive Financial Report (ACFR) for the Fiscal Year ended September 30, 2024” by Forvis Mazars LLP. - Action Item

Forvis Mazars appeared before the Council to present the independent auditor's Annual Comprehensive Financial Report for the Fiscal Year ending September 30, 2024. It was noted in the presentation that the City and the EDC have both received an unmodified clean opinion based on the current policies of the administration and carried out by the staff.

City Councilmember Place 4 Gary asked how long the City had used this firm to conduct the city audits. Finance Director Horton advised that this was the first year that Mr. Dan Barron has been the engagement partner for the city audit and the firm has been utilized by the city for approximately four (4) years.

Place 1 Glover motioned to approve the independent auditor's Annual Comprehensive Finance Report for the Fiscal Year ended September 30, 2024, as presented.

Place 2 Kobeck seconded the motion.
No opposition, No abstentions
Vote: Motion passed unanimously

2. Discuss and Take Action on a Proposed Budget Amendment. - Action Item

Finance Director Horton presented a proposed amendment to the city's budget, outlining several areas in need of funding. These included the completion of software implementation for the Court, Finance, Human Resources, Permitting, and Code Enforcement departments, as well as transitioning the city's current IT platform to a Cloud-based system. Additional proposed expenditures included citywide updates to streetlights, the purchase of a new vehicle for the Fire Department, costs associated with the City Council Retreat held in March 2025, expenditures from the Police Seizure Funds, and payment of impact fees owed to the City of Fort Worth.

Ben Singleton from NetGenius attended the meeting to answer questions about the proposed move of city emails to the Cloud. He explained that this upgrade would allow city staff to remain responsive via email even if the network were to go down. Councilmember Gary asked whether funding for this update was included in the fiscal year 2024 budget, and it was confirmed that the necessary funds had indeed been allocated.

The Council also discussed the proposed updates to streetlights across Kennedale. City Manager Hull noted that the Police Department is currently conducting a survey to identify areas of greatest concern. When Councilmember Kobeck asked whether the project could be deferred to the next budget year, Mr. Hull reminded the Council that streetlight improvements had been designated a priority during the March retreat. He also stated that current cost savings in the existing budget would allow the city to move forward with the project this year.

Another point of discussion centered on the impact fees owed to the City of Fort Worth. Finance Director Horton reported that Fort Worth had completed a reconciliation for fiscal years 2019 through 2023 and determined that Kennedale owes $98,920.51 in previously unbilled impact fees. Mr. Horton mentioned that negotiations are underway with Fort Worth to potentially reduce the amount owed. In response, Councilmember Glover raised concerns about the timeliness of the invoices and requested that City Attorney Adkins review the contract. Attorney Adkins stated he would need additional time to investigate and provide an informed response.

Place 1 Glover motioned to approve the budget amendment pending a review by legal council.

Place 5 Nevarez seconded the motion.
No opposition, No abstentions
Vote: Motion passed unanimously

3. Discuss and take action to amend policies on Donations and Eligibility of Public Funds. - Action Item

Bryant Griffith, 912 Greenfield Ct., spoke in favor of an amendment to the Donations and Eligibility of Public Funds policy.
James Connor, 501 W. 3rd St., spoke in favor of an amendment to the Donations and Eligibility of Public Funds policies.

Place 1 Glover explained that he had requested the item be added to the agenda to promote transparency in the use of taxpayer funds. He expressed concern about a situation in which the Kennedale Economic Development Corporation (EDC) had provided funding to a business owner who later made in-kind donations to candidates in the general election. Mr. Glover noted that several other cities have adopted similar policies through ethics codes and donor transparency measures. He requested that the Council direct the City Attorney to begin drafting a formal policy.

Mayor Horton voiced concerns that such a policy might impact the community donations to events like Hometown Christmas. He asked whether the City Attorney had reviewed the proposed document. City Attorney Adkins responded that he had not reviewed the policy since the Council had not previously asked him to render a legal opinion on it.

Mr. Glover asked the Council to consider a statement of purpose for the proposed policy, which reads: *"This policy is intended to ensure that no donor can gain preferential access to public resources and that no public official is unduly influenced by campaign contributions."*

Place 2 Kobeck inquired whether there was any relevant case law supporting such a policy. Attorney Adkins replied that a substantial body of law exists in Texas concerning ethics policies. Place 4 Gary asked for clarification on whether the proposed policy would apply to existing or future economic development agreements, and what specific types of funds it would cover. Mr. Glover clarified that the immediate goal was to establish alignment with the intent of the policy.

Ms. Kobeck also asked whether there was any indication that this type of activity had occurred within the city. The Council proceeded to discuss public concerns that had been raised about campaign financing and the use of public funds.

Mr. Gary noted that he had signed a conflict of interest disclosure with his employer prior to his candidacy and agreed a policy review was necessary. However, he questioned the timing of the proposal and asked for clarification on whom the policy would affect. Mr. Glover replied that the policy would apply to "Elected Officials."

Place 5 Nevarez asked whether an ordinance would have binding authority going forward. Attorney Adkins explained that if the policy were to be added to the city charter, he would conduct a full legal review before it could be placed on the ballot for a charter amendment. He added that the Council could not enact a policy that conflicts with state law and noted that the city's current charter already includes provisions on conflicts of interest.

Following extended discussion, the Council reached a consensus to direct City Manager Hull to collaborate with the City Attorney on developing an action plan and draft policy to be considered by the Council at a future meeting.

4. Discuss and take action on a 380-Agreement with MM Hospitality, LLC. - Action Item

James Connor, 501 W. 3rd St., spoke against approval of the 380-Agreement with MM Hospitality, LLC.

City Manager Darrell Hull presented the proposed 380 Agreement to the City Council, highlighting the potential economic benefits of offering a tax incentive for the development. Mr. Hull explained that the investment would generate both sales tax and Hotel Occupancy Tax (HOT) revenue for the city. He noted that 380 Agreements are commonly used by municipalities across Texas as a strategic tool to encourage growth and attract new development.

The Council discussed the proposed agreement and the anticipated financial impact that a new hotel could bring to Kennedale in the near future.

Place 5 Nevarez motioned to approve the 380-Agreement with MM Hospitality, LLC.

Place 1 Glover seconded the motion.
No opposition, No abstentions
Vote: Motion passed unanimously

V. EXECUTIVE SESSION

IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOVERNMENT CODE. If, during the course of the meeting and discussion of any items covered by this notice, the Kennedale City Council determines that a Closed or Executive session of the Board is required, then such closed meeting will be held as authorized by Texas Government Code, Chapter 551, Section 551.071 consultation with counsel on legal matters; Section 551.074 personnel matters (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or (2) to hear a complaint or charge against an officer or employee. (b) Subsection (a) does not apply if the officer or employee who is the subject of the deliberation or hearing requests a public hearing. Section 551.072 - deliberation regarding purchase, exchange, lease or value of real property; Section 551.073 - deliberation regarding a prospective gift; Section 551.087 - deliberation regarding economic development negotiation; Section 551.089 - deliberation regarding security devices or security audits, and/or other matters as authorized under the Texas Government Code. If a Closed or Executive Session is held in accordance with the Texas Government Code as set out above, the Kennedale City Council will reconvene in Open Session in order to take action, if necessary, on the items addressed during Executive Session.

Place 2 Kobeck asked the City Attorney whether the Executive Session complied with the Texas Open Meetings Act. City Attorney Carvan Adkins confirmed that it did, stating that a letter of certification had been filed with the City Secretary affirming the session's compliance.

Place 1 Glover motioned to adjourn into executive session at 9:16 p.m.

Place 5 Nevarez seconded the motion.
No opposition, No abstentions
Vote: Motion passed unanimously

A. PURSUANT TO SECTION 551.074 - Personnel Matters, certain deliberations about officers and employees of the governmental body to be held in executive session.

Description:

1. Planning and Zoning Commission Un-Expired Term Vacancy.

VI. RECONVENE INTO OPEN SESSION, AND TAKE ANY ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

The City Council adjourned from Executive Session at 9:45 p.m.

VII. ADJOURNMENT

Place 5 Nevarez motioned to adjourn at 9:46 p.m.

Place 2 Kobeck seconded the motion.
There being no further business, Mayor Horton adjourned the meeting.

APPROVED:

MAYOR BRAD HORTON

ATTEST:

CITY SECRETERY BOBBIE JO TAYLOR