



KENNEDALE CITY COUNCIL MINUTES

REGULAR MEETING | JUNE 20, 2023 AT 5:30 PM

CITY HALL COUNCIL CHAMBERS | 405 MUNICIPAL DRIVE, KENNEDALE, TX 76060

I. CALL TO ORDER

Mayor Jan Joplin called the meeting to order at 5:30 p.m.

A. ROLL CALL

PRESENT: ; **ABSENT:** ; **STAFF:** City Manager Darrell Hull, City Secretary Raeanne Byington, Director of Planning and Economic Development Nathan Gonzales, Director of Finance Jonathan Horton, Library Director Elizabeth Partridge, Director of Human Resources Caroline Green, Public Works Director Kristian Sugrim, Fire Chief James Brown, Police Chief Michael Holguin, City Attorney Carvan Adkins;

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."

Councilman Horton led the invocation and Councilman Michels the pledges.

II. WORK SESSION

A. WORK SESSION REPORTS

Before work session began, Mayor Joplin allowed the public speakers who had signed up to go ahead with their comments:

Thomas Chapman at 213 W 3rd St spoke on the cardboard storage outside of Dollar General creating a trash nuisance and would like the City's assistance in keeping an eye on it so it doesn't continue to stay that way.

John DeSilva 311 Autumnwood Ct came to address the work session item regarding the Winding Creek Storm Drainage. He would like someone to respond to the school board so the school board will take action.

1. Winding Creek Storm Drainage Update.

City Manager Hull deferred to City Attorney Carvan Adkins who reiterated that the City has nothing that they can legally do since it is not their property and that if we did something, then we could be held liable for anything going forward that happens there. He said a letter had been drafted and the City Attorney has it.

Mayor Jan Joplin recessed to Executive Session at 5:39 p.m.

Mayor Jan Joplin reconvened the meeting at 6:16 p.m.

As a follow up, a letter will be sent to the KISD attorney and KISD tomorrow.

2. Discussion on permitting short term rentals in R-1 zoning only.

Councilman Gilley discussed moving short term rentals to R-1 zoning so there would be room between neighbors and it wouldn't impact them community. City Attorney Adkins discussed that the people and Cities are aggressively litigating. He advised until litigation has completed, he suggests not moving forward

with ordinances till that has completed. Community Development Director Nathan Gonzales stated we have 2 R-1 zones. He asked that if the neighbors are seeing a nuisance in the short term rentals, they should call immediately and not the next day. Mayor Joplin wants to know the process for this. Nathan again stated he needs 911 to be called so it is documented. Councilman Degenhart suggested a tired system for tickets as a way to dissuade the STR owners. Max can be \$2000/day. Process: Call 911 so there is a call/cad sheet as proof and follow up with an email to Code Enforcement.

Mayor Joplin recessed for 5 minutes at 7:00pm.

3. Discussion regarding the City Council appointing the executive officers for all boards/commissions.

Mayor Jan Joplin reconvened the meeting at 7:08 p.m.

At this time, Item III.2.A, the Juneteenth Proclamation from Commissioner Simmons, Precinct 2 was moved and read.

Council discussed moving all chair/vice chair selections to the City Council.

B. DISCUSSION AND/OR REQUESTS FOR CLARIFICATION OF ITEMS LISTED ON THE AGENDA

There was no discussion at this time.

III. 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 members of the Kennedale City Council

Councilman Nevarez discussed the city activities, TML meeting he attended, Juneteenth proclamation at the Commissioner's court, Magnolia Hills HOA meeting, and he is ready for Newly Elected Officials training in July.

Councilman Degenhart congratulated everyone that put in time for Bark in the Park, KidFish and the BBQ/Cornhole tournament.

Councilman Michels attended the Chamber luncheon, PD Appreciation dinner, Board banquet, BBQ cookoff, KidFish and Bark in the Park. On Memorial Day, I attended Emerald Hills memorial and Kennedale ISD Alumni Association, Commissioner's Court for Juneteenth, TML: Region 8 meeting, Juneteenth parade and reminder KKB 2nd Sat workday.

Councilman Horton thanked the KKB for the Adopt-a-Spot. He attended the chamber luncheon, BBQ cookoff, KidFish, Bark in the Park. He was impressed with all the community involvement. Boards Banquet at Serenity Falls, Police Appreciation Dinner, EDC Meeting, Commissioner's Court and the Juneteenth Parade.

Concilman Gilley talk with people on New Hope Road and explained as much as he could about the train stopping and why the bridge is behind and a conversation regarding 3rd Street.

Mayor Jan Joplin asked if anyone who could donate box fans for the Seniors in need and Meals on Wheels needs helpers too. She attended all the events that had been mentioned earlier and was excited at how many people came out for the events at Sonora Park. She acknowledged our partnership with Kennedale Speedway Park for the BBQ cook off and stated that if you want a flag displayed in front of your house, contact the Rotary. The Juneteenth parade was great and stated the Kennedale Moms of Color did a fantastic job.

City Manager Hull thanked council for being involved in the community and all the events. He discussed how the railroad construction has started back and it would be 6-8 weeks. Third Street completion is very near also.

2.

Updates from the Mayor

Juneteenth Proclamation - Alisa Simmons, Tarrant County Commissioner Precinct 2.
Moved to 7:10 pm, see above.

3. Updates from the City Manager

Introduction of Fire Marshal Melvin Wilson

Melvin Wilson was introduced to the City Council as our new Fire Marshal.

4. Financial Reports for the City.

Jonathan Horton discussed the financial reports and took questions from the Council.

B. VISITOR AND CITIZEN FORUM

At this time, any person may address the Kennedale City Council about items not on the agenda. Rules and procedures for addressing the Kennedale City Council are included under "I. CALL TO ORDER". Neither formal action nor discussion may occur at this time. Those wishing, instead, to speak on an agenda item should indicate their desire to speak as the Kennedale City Council considers that item.

This was done early in the meeting and is reflected in Item II.A.

C. 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. Approve the minutes from the May 16, 2023 Regular Meeting.

Motion Approve. **Action** Approve Approve the minutes from the May 16, 2023 Regular Meeting., **Moved By** Austin Degenhart, **Seconded By** Kenneth Michels. **Motion passed unanimously**, with None voting against approval and None abstaining.

2. Approve the minutes from the June 6, 2023 Special Meeting.

Item was pulled from the Agenda.

3. Approve the ILA regarding funding for Kennedale New Hope Road and Swiney Hiatt Road. Total cost of \$1,244,872.32.

Motion Approve. **Action** Approve Approve the ILA regarding funding for Kennedale New Hope Road and Swiney Hiatt Road. Total cost of \$1,244,872.32., **Moved By** Austin Degenhart, **Seconded By** Kenneth Michels. **Motion passed unanimously**, with None voting against approval and None abstaining.

D. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consider approval of the Project Utility Adjustment Agreement for the TxDOT Southeast Connector Project.

Motion Approve. **Action** Approve Consider approval of the Project Utility Adjustment Agreement for the TxDOT Southeast Connector Project. , **Moved By** Jeff Nevarez, **Seconded By** Austin Degenhart. **Motion passed unanimously**, with None voting against approval and None abstaining. Max Aransen updated the council on the Southeast Connector Utility Adjustment Agreement.

2. Consider approval of the proposed Park Zone Boundary Map.

Motion Approve. **Action** Approve Consider approval of the proposed Park Zone Boundary Map. , **Moved By** Jeff Nevarez, **Seconded By** Kenneth Michels. **Motion passed unanimously**, with None voting against approval and None abstaining.

3. Discuss and take action on a resolution authorizing publication and posting of notice of intention to issue certificates of obligation to finance the acquisition, construction, and equipping of various public improvement projects totaling \$17.4 million.

Council Degenhart asked about breach language on page 29 and Item 25 Equitable Relief to the attorney.

Motion Approve. **Action** Approve Discuss and take action on a resolution authorizing publication and posting of notice of intention to issue certificates of obligation to finance the acquisition, construction, and equipping of various public improvement projects totaling \$17.4 million., **Moved By** Austin Degenhart, **Seconded By** Jeff Nevarez. **Motion passed unanimously**, with None voting against approval and None abstaining.

4. Appoint a Mayor Pro Tem.

Councilman Horton motioned to appoint Councilman Michels as Mayor Pro Tem. Councilman Gilley seconded. Decision was unanimous 4-0 with 1 abstaining, Kenneth Michels.

5. Approve an ordinance for a Senior Tax Freeze in the City of Kennedale.

E. PUBLIC HEARINGS

There was no public hearing needed.

Mayor Joplin moved into Executive Session at 8:20 pm

IV. EXECUTIVE SESSION

A. PURSUANT TO §551.071 — *Consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion of any item posted on the agenda, legal issues regarding the Open Meetings Act.*

B. PURSUANT TO §551.072 — *Deliberation regarding the purchase, exchange, lease, or value of real property.*

C. PURSUANT TO §551.087 — *(1) Deliberation regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision.*

D. PURSUANT TO §551.074 — *Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.*

V. RECONVENE INTO OPEN SESSION, AND TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION, IF NEEDED

Mayor Joplin reconvened into regular session at 9:21 pm.

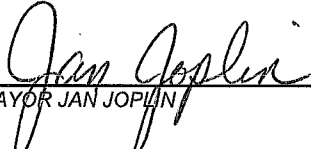
Motion Approve. **Action** Approve RECONVENE INTO OPEN SESSION, AND TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION, IF NEEDED, At this time, a motion was presented to amend the ordinance so the council will appoint all Chair/Vice Chair or President/Vice President of the Boards and Commissions. **Moved By** Austin Degenhart, **Seconded By** Brad Horton. **Motion passed with a vote of 4-1-0**, with Jeff Nevarez voting against approval and None abstaining.

VI. ADJOURNMENT

Motion Approve. **Action** Approve ADJOURNMENT, **Moved By** Austin Degenhart, **Seconded By** Brad Horton. **Motion passed unanimously**, with None voting against approval and None abstaining.

Mayor Joplin adjourned the meeting at 9:23pm.

APPROVED:


MAYOR JAN JOPLIN

ATTEST:


CITY SECRETARY RAEANNE BYINGTON