



KENNEDALE CITY COUNCIL MINUTES

REGULAR MEETING | AUGUST 29, 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: Kenneth Michels, Rockie Gilley, Brad Horton, Jeff Nevarez, Bryant Griffith; **ABSENT: NONE** ;
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."

Councilmember Brad Horton gave the invocation and Councilmember Kenneth Michels led the pledges.

II. VISITOR AND CITIZEN FORUM

David Adams, 512 Oak Forest Ct, Kennedale, TX spoke in favor of the ILA and policy with the Texas Government Accountability Association.

III. WORK SESSION

A. WORK SESSION REPORTS

Mayor Joplin asked to switch the placement of the budget and the TGAA discussion on the Work Session.

1. Discussion of the 2023-2024 fiscal budget.

Finance Director Jonathan Horton discussed the minor changes made to the budget:

Move \$22000 for audio/visual upgrades from general fund to EDC fund.

City Manager added \$3250 in assignment pay and \$10000 electric services.

Police and Fire added \$6220 for fuel

Library added \$1000 for building maintenance.

Water/Sewer fund - \$7.7m moved from Water Line Installation to Sewer Line Installation.

Street Maintenance - \$12000 in TownCenter Plaza maintenance was moved to the EDC Fund.

\$7000 was budgeted for special services in the Juvenile Case Manager Fund.

There were several questions regarding software on the budget. City Secretary Raeanne Byington explained that CivicPlus was not properly budgeted in the prior year's budget.

There were several increases in the City's software for FY24. A discussion regarding the tax increase by the value of homes being higher. The City is not raising taxes, but the home values have gone up. City Manager Hull stated that if council wanted to lower the tax rate, then we will lower the tax rate, but it will not help the city move forward. He gave an example of the streets and infrastructure and that there are some sacrifices needed to get those projects done. The additions such as vehicles and a/v equipment get us to a

higher standard that is needed for transparency. Council Member Nevarez said he is hoping this budget will get us to a city that is functioning and hopefully will get us up to the standard of other cities surrounding us.

2. Discussion of The Texas Government Accountability Association Policy and Transparency and Ethics Interlocal Agreement.

Council Member Gilley gave an overview of TGAA for the Bret of the council. He stated he had been a part of TGAA since the inception, about 6 years, and that he receives nothing from them in the form of compensation or special recognition to benefit them in any way. He resigned from it on August 22, 2023. The idea is to improve government in Texas. Council Member Horton spoke in support of joining, greater ethical standards and be better stewards of citizens' tax dollars. He likes the efficiency audit every 5 years stating that they identify and eliminate wasteful practices and spending. He strongly supports it. Council Member Michels asked who to address their questions to and 2 men from TGAA took the podium. Attorney Art Martinez de Vara and Matt Armstrong introduced themselves. Council Member Michels asked how long TGAA had been going and they stated that on August 21, 2023 the first city, the City of Kingsbury, became a Member. Kennedale would hopefully be the 2nd city in the Membership. Council Member Griffith asked when it was established. Mr. Martinez de Vara stated that it was established August 21, 2023. He asked about the payments from the cities and they stated they have not taken any payments yet as Kingsbury is founding city and they don't have to pay. Mr. Martinez stated that the Association is also bound to the same ethics that they are asking the governments for. He addressed the ethics issue of sitting Members of boards and they stated no one was sitting on a board.

Council Member Nevarez asked about who would pay to do the audit. Mayor Joplin stated that was an efficiency audit and it would be every 5 years. Council Member Nevarez asked about the 'So what.' What happens when they violate something? What would happen? Mr. Armstrong stated that if a citizen found something wrong on the website and brought a complaint against Kennedale, then Kennedale would be allowed to fix it before it became a violation. If Kennedale is in violation of TGAA ILA, then we have to pay for all attorney fees. He asked if the boards and committees have been asked about this policy and ILA. City Manager Hull stated the concern for employees was the immunity issue and what would happen. He stated he has some reserve. He then asked some questions: What if the council doesn't agree with something a citizen states violates TGAA policy but the council doesn't agree? Mr. Martinez de Vara stated a lot would be up to the policies set in place by the City itself. Council Member Nevarez discussed ethics and Council Member Gilley wanted to read the TGAA policy. Mayor Joplin then recessed to Executive Session at 6:15 pm.

Daniel Bennett, 408 Pemberton, White Settlement, TX came to speak on the Tarrant Appraisal District and encourage the City Council to get smaller entities represented on the TAD Board. Nominations due by October 15, 2023.

Mayor Joplin called a break at 7:42 pm.

Council Member Nevarez exited the executive session at 6:16 pm.
Council Member Gilley exited the executive session at 6:21 pm.
Council Member Nevarez went back into executive session at 6:28 pm.
Mayor Joplin called back into Work Session at 6:51 pm. Council Member Gilley did not return to the dais.

Mr. Armstrong with TGAA returned to the podium to give a brief description of TGAA and that its intent is to restore accountability, transparency and trust to local government.

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

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.

Council chose to not do updates at this time.

The Financials were discussed in the Budget work session.

B. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Discuss and consider approval of a Resolution of the City Council of the City of Kennedale, Texas, approving the placement of a proposal on the September 19, 2023 City Council Public Meeting agenda to adopt a 2023 ad valorem tax rate that may exceed the lower of the voter-approval rate or the no-new-revenue tax rate; recording a City Council vote for a proposed tax rate; and calling a public hearing for September 19, 2023.

Motion Approve. **Action** Approve Discuss and consider approval of a Resolution of the City Council of the City of Kennedale, Texas, approving the placement of a proposal on the September 19, 2023 City Council Public Meeting agenda to adopt a 2023 ad valorem tax rate that may exceed the lower of the voter-approval rate or the no-new-revenue tax rate; recording a City Council vote for a proposed tax rate; and calling a public hearing for September 19, 2023., **Moved By** Jeff Nevarez, **Seconded By** Kenneth Michels. **Motion passed with a vote of 4-0-0**, with None voting against approval and None abstaining, and Council Member Gilley Absent.

2. Discussion and approval of a resolution affirming an annual review and changes to the City's Investment Policy.

Finance Director Horton discussed City's Investment Policy.

Motion Approve. **Action** Approve Discussion and approval of a resolution affirming an annual review and changes to the City's Investment Policy., **Moved By** Brad Horton, **Seconded By** Jeff Nevarez. **Motion passed/ with a vote of 4-0-0**, with None voting against approval and None abstaining and Council Member Gilley absent.

3. Consider approval of an ILA and Policy with the Texas Government Accountability Association.

The council had concerns regarding the wording on the ILA with Fort Worth. They asked

that Police Chief Holguin go back to Fort Worth and ask that some language regarding euthanizing an animal could be removed.

This item was tabled.

V. 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.

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

VII. ADJOURNMENT

Motion to Adjourn was presented by Council Member Michels, Second by Council Member Griffith and was approved 4-0 with Council Member Gilley absent.

Mayor Joplin adjourned at 7:50 pm.

APPROVED:


MAYOR JAN JOPLIN

ATTEST:


CITY SECRETARY RAEANNE BYINGTON