

## **KENNEDALE CITY COUNCIL MINUTES**

REGULAR MEETING | AUGUST 15, 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 5:32 p.m.

#### **A. ROLL CALL**

**PRESENT:** Rockie Gilley Place 1, Brad Horton Place 2, Kenneth Michels Place 3, Bryant Griffith Place 4, Jeff Nevarez Place 5; **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."*

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

### **II. VISITOR AND CITIZEN FORUM**

Regular Session Item A.1 was moved forward at this time and the presentation for the Award from the American Heart Association was presented to Chief James Brown and the Kennedale Fire Department.

Brenda Joyner, 1011 Bell Oak Drive spoke regarding the Short Term Rental issues in her neighborhood and asked the Council to address getting restrictions in place. She suggested a task force to be placed if needed.

Kevin Saller, 402 Lone Oak Ct, spoke regarding the Short Term Rental issues and asked the Council to address them.

Frank Fernandez, 911 Shady Valley Dr, wants Council to consider banning all short term rentals.

James Connor, 501 W 3rd St, discussed the issues on 3rd St and the length of time it has taken to get 3rd Street to be repaired.

### **III. WORK SESSION**

#### **A. WORK SESSION REPORTS**

##### **1. Parking Ordinance Update.**

Community Development Director Nathan Gonzales introduced an ordinance that would provide some regulations on parking and allow police or code enforcement to make contact and issue citations if there is a violation. Nathan asked for direction for adjustments to the ordinance at this time.

##### **2. Nuisance Ordinance Update.**

Community Development Director Nathan Gonzales presented an update to the Nuisance Ordinance. There were concerns from the council about the ordinance being taken too far by citizens. Mr. Gonzales has again requested adjustments from the council on this ordinance.

We had an additional citizen come forward for the Visitor Forum:

Perry Clementi, 103 Creekside Ct, brought concerns about speeding on Kennedale-Sublett between Little Road and 287 Business. He asked for help from Council. He also has concerns about Hammack Creek dumpsters overflowing and some trash not making it into dumpsters and people throwing trash out of their vehicles as they drive along the road in that area.

### 3. Budget Update

- A. Brinson Benefits to discuss employee benefits.
- B. General Budget update.

Jana Ventura with Brinson Benefits gave a brief summary of our renewal for benefits for FY 24.

Finance Director Jonathan Horton and the council went through the budget line by line to discuss the budget and any changes that had been made from version 1 to version 2. Council had some questions. There was discussion on upgrading the AV equipment in council chambers and if it was necessary. City Secretary Raeanne Byington explained that the upgrade would give better clarity for the public to watch online and more transparency as all boards will be streaming their meetings. Council asked that we see if EDC has some discretionary funds to help with the AV costs.

### 4. Discussion of proposed \$22 million bond for the general election on November 7, 2023.

- Streets
- Parks
- Public Safety

Streets - \$11 million for streets = Little Road. Sidney Green with Freese & Nichols presented the Little School Road Alignment Study. Gilley, Horton - GO. Michels, Nevarez, and Griffith - CO

Parks - \$3 million - Gilley, Horton, Michels, Griffith and Nevarez are in support of a GO.

Public Safety - \$6 million - Gilley, Horton, Michels, Griffith and Nevarez are in support of a CO.

Mayor Joplin opened up the discussion on what should be a GO Bond (go to election), a CO Bond (Council Approved) or postpone any or all of the options. There was much discussion regarding all 3. Ultimately, the decision was made for the Parks to go to the General Election in November and the Street and Public Safety will be CO.

### 5. Discussion on creating a city policy for the authority and discretion of any City, City Body, Elected official, or City Official to enforce higher ethical standards and accountability for financial and elected officials.

City Manager Hull suggested that we add TGAA policy to the City's policies and our

Charter, He does want us to consider that we cannot hold up to their standard in ways. Councilmember Gilley discussed GASB in Finance. It's a self reporting mechanism that everyone should do. Good for Kennedale and we could take a lead role.

Councilmember Michels stated a lot of writing is in State Law and our Charter

Attorney Adkins stated that you could adopt an ordinance but that another Council could then amend the ordinance. Adkins suggests go the ordinance route and live by it for a couple years; then consider a charter election.

Councilmember Griffith like the idea of a resolution at this time.

Councilmember Nevarez likes the idea but there needs to be penalty if they don't follow it.

**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.*

Councilmember Nevarez went to TML for Newly Elected Officials workshop. Chamber is having a luncheon for Rotary the next day. Concert in the Park, Ralph Mooney for Food Steel Guitar festival is in full swing. The other councilmembers chose not to add anything at this time.

1. Presentation of Award of Recognition from American Heart Association for the 2023 Mission Lifeline - EMS - Silver with Target: Heart Attack Honor Roll by Corrie Harris, Executive Director of the American Heart Association.

Ms. Corrie Harris presented the Mission Lifeline - EMS - Silver with Target: Heart Attack Honor Roll.

2.

Updates from members of the Kennedale City Council.

3.

Updates from the Mayor

New Hope Rd is open. Mayor's Back to School Bash. Shout out to all the sponsors and especially the Rotary who gave generously to the Fire Victims. Kudos to the Fire Dept for helping put out the apartment fire as quickly as they did. That is all for now. Thanked Kenneth Michels for running last month's meeting and welcomed Bryant Griffith.

4. Updates from the City Manager

City Manager Hull talked about all the events in September and October. Sept 9th KKB Bring It event, 9/11 Memorial Service at 9am, KKB Butterfly Party on Sept 16th at 9am. Library Pigeon Party Sept 23 at 10am. The Public Safety Open House is on Oct 14th at 10am. Trunk or Treat Oct 28th 5-7pm.

5. Financial Reports for the City and the EDC.

Financials were presented during the Budget talks.

6. Quarterly Investment report for the City.

Finance Director presented the Quarterly Report.

**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. Approval of the minutes from the July 18, 2023 Regular Meeting**

**Motion** Approve. **Action** Approve Approval of the minutes from the July 18, 2023 Regular Meeting, **Moved By** Kenneth Michels, **Seconded By** Jeff Nevarez. **Motion passed/failed unanimously / with a vote of 5-0-0.**

**C. ITEMS FOR INDIVIDUAL CONSIDERATION**

**1. Consider approval of the 2023-2024 Interlocal Agreement (ILA) with the City of Ft. Worth for rabies control and use of the City of Ft. Worth Animal Shelter**

Chief Holguin stated this has been in place for years but are hoping to have a conversation with Everman about using their facility. Councilmember Gilley brought up language in the ILA stating we said it would be okay to euthanize if they weren't adopted or transferred.

Tabled at this time due to language in the ILA stating we would allow them to euthanize.

**Motion** Table **Action** Table Consider approval of the 2023-2024 Interlocal Agreement (ILA) with the City of Ft. Worth for rabies control and use of the City of Ft. Worth Animal Shelter, **Moved By** Brad Horton, **Seconded By** Rockie Gilley. **Motion passed unanimously.**

**2. Approval of the use of Court technology funds to purchase new ticket writer software and licenses.**

**Motion** Approve. **Action** Approve

Approval of the use of Court technology funds to purchase new ticket writer software and licenses. , **Moved By** Rockie Gilley, **Seconded By** Kenneth Michels. **Motion passed unanimously.**

**3. Consider approval of the Sonora Park Playground Upgrades.**

**Motion** Approve. **Action** Approve Consider approval of the Sonora Park Playground Upgrades., **Moved By** Jeff Nevarez, **Seconded By** Kenneth Michels. **Motion passed unanimously.**

**4. Consider approval of an ordinance for the negotiated RRM settlement between Atmos Cities Steering Committee and Atmos Energy Corp, Mid Tex Division.**

**Motion** Approve. **Action** Approve Consider approval of an ordinance for the negotiated RRM settlement between Atmos Cities Steering Committee and Atmos Energy Corp, Mid Tex Division., **Moved By** Jeff Nevarez, **Seconded By** Kenneth Michels. **Motion passed with a vote of 3-1-0,** with Brad Horton voting against approval and None abstaining.

**5. Consider approval of an amendment to the Short Term Rental Ordinance.**

**Motion** Approve with changes of space between from 1000 to 500 and remove the clause of shutting down utilities. **Action** Approve with changes of space between from 1000 to 500 and removing the clause of shutting down utilities Consider approval of an amendment to the Short Term Rental Ordinance. , **Moved By** Jeff Nevarez, **Seconded By** Bryant Griffith. **Motion passed unanimously / with a vote of 4-1-0,** with Rockie Gilley voting against approval and None abstaining.

**6. Approve contract for Bureau Veritas to complete pool inspections in the City of Kennedale.**

**Motion** Approve. **Action** Approve Approve contract for Bureau Veritas to complete pool inspections in the City of Kennedale. , **Moved By** Rockie Gilley, **Seconded By** Jeff Nevarez. **Motion passed unanimously.**

7. Consideration and approval of an order calling a bond election to be held by the City of Kennedale on November 7, 2023.

- Measure - Streets
- Measure - Parks
- Measure - Public Safety

Motion to Approve an GO Bond in the amount of \$11 million for Streets. Second Horton. Motion fails 3-2 with Councilmembers Michels, Nevarez and Griffith opposing.

Motion to Approve a CO for Streets by Nevarez. Second Michels. Councilman Gilley wanted to reiterate that the council is imposing this without the vote of the citizens. Motion passes 3-2 with Councilmembers Gilley and Horton opposing.

Motion to Approve a GO for Parks for \$3 million. Second Horton. Motion passes unanimously.

Motion to Approve a CO for Public Safety. Second Michels. Motion passes 4-0 with Councilmember Gilley Abstaining.

8. Approval of an ordinance authorizing the issuance, sale and delivery of up to \$17,400,000 in aggregate principal amount of "Combination tax and revenue Certificates of Obligation, series 2023"; Securing the payment thereof by authorizing the levy of an annual ad valorem tax and a pledge of certain surplus revenues of the city's municipal waterworks and sewer system; and approving and authorizing the execution of all other instruments and procedures related thereto.

**Motion Approve. Action Approve** Approval of an ordinance authorizing the issuance, sale and delivery of up to \$17,400,000 in aggregate principal amount of "Combination tax and revenue Certificates of Obligation, series 2023"; Securing the payment thereof by authorizing the levy of an annual ad valorem tax and a pledge of certain surplus revenues of the city's municipal waterworks and sewer system; and approving and authorizing the execution of all other instruments and procedures related thereto. , **Moved By** Jeff Nevarez, **Seconded By** Kenneth Michels. **Motion passed with a vote of 3-0-2**, with none voting against approval and Brad Horton, Rockie Gilley abstaining.

## **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.*

1. Board Appointments/Removals.

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

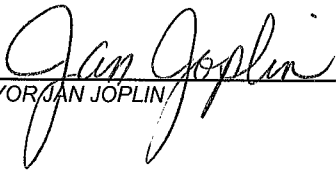
Mayor Joplin reconvened from Executive Session at 12:29 am.

**VII. ADJOURNMENT**

**Motion Approve. Action ADJOURNMENT, Moved By** Jeff Nevarez, **Seconded By** Kenneth Michels.  
**Motion passed unanimously.**

**Mayor Joplin adjourned at 12:30am.**

**APPROVED:**

  
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MAYOR JAN JOPLIN

**ATTEST:**

  
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CITY SECRETARY RAEANNE BYINGTON