KENNEDALE CITY COUNCIL MINUTES

REGULAR MEETING | MAY 21, 2024 AT 5:30 PM
CITY HALL COUNCIL CHAMBERS | 405 MUNICIPAL DRIVE, KENNEDALE, TX 76060

I. CALL TO ORDER

A. <u>ROLL CALL</u>

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

Mayor Horton, Mayor Pro Tem Michels, Place 1 Glover, Place 4 Gary, and Place 5 Nevarez were in attendance thus constituting a quorum.

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

B. <u>INVOCATION AND PLEDGES OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS</u>

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

Place 5 Nevarez led the invocation. Mayor Pro Tem Michels led the Pledges to the American and Texas Flags.

Mayor Horton moved Regular Session Item A6 and Item A7 to take place prior to the Visitor and Citizen Forum.

<u>6. Proclamation of the City of Kennedale declaring May 2024 as Building Safety Month.</u>

Mayor Horton Presented the Community Development Department with a proclamation declaring May 2024 as Building Safety Month.

<u>7. Presentation to honor Fire Chief James Brown upon his retirement by State Representative David Cook.</u>

State Representative David Cook, the City of Kennedale Mayor and City Council recognized Fire Chief James Brown for his many years of service to the Fire Service and the City of Kennedale.

Mayor Horton resumed the regular order of the agenda.

II. VISITOR AND CITIZEN FORUM

No Comments were made at this time.

III. BOND ISSUANCE WORKSHOP

A. DISCUSSION WITH COUNCIL AND STAFF TO RECEIVE UPDATES ON THE STATUS OF THE ISSUANCE OF BOND PROJECTS.

1. Park and Recreation Updates

City Manager Darrell Hull asked for the council's thoughts moving forward to best utilize the funding for the future of Kennedale Parks. Mr. Hull advised that he would like to have a consultant look into an in-depth overview of the park system.

Mayor Pro Tem Michels and Place 5 Nevarez advised that they would like to see focus on a baseball or football field. The council expressed concerns relating to turf on the fields and instead relayed to the City Manager that grass would be a better option.

Place 5 Nevarez stated that he has received citizen input requesting that the city consider options for a dog park.

Place 1 Glover requested that the City Manager look into the cost of turf versus grass prior to making a final decision. Mr. Glover advised that he has concerns regarding a dog park having maintenance issues including constant muddy grounds.

Place 5 Gary also requested a cost analysis on the surface of any fields. Mr. Gary complimented staff on the current state of Sonora Park.

City Manager Hull advised that he is receiving feedback relating to seating and shading at the parks. Mr. Hull stated that he would be looking into the possibility of funding shading structures with the issuance of the bonds.

2. Public Safety Facilities - Grossman Design Build

Representatives from Grossman Design Build were in attendance and reviewed updates with the City Council regarding the Fire Station and Police Station remodels. The representatives covered the need to remove the carcinogens from the Fire Department and showed specific details for the renovations of both stations.

Acting Fire Chief Brian King advised the council that the Fire Department staff will need

to relocate during the remodel of the building. Chief King explained that apparatus would need to be stored in a climate-controlled area. Chief King stated that Southwest Ambulance has bays that could house the apparatus as needed and that the city would be able to lease the space for a year. Chief King further advised that the department is prepared to house in a 76' mobile trailer that would be moved next to Southwest Ambulance.

Andrew Friedman the city bond consultant spoke to the council via zoom. Mr. Friedman briefed the council on the process moving forward including receiving the certified tax roll on July 25th. Mr. Friedman advised that the council will sell the bonds after the tax roll is certified but prior to adoption of the tax rate. Mr. Friedman explained the lead time needed for the issuance of the bonds, including a notice of intent to sell bonds at the next regular City Council meeting.

Break: 7:07 p.m.

Return from break: 7:15 p.m.

Mayor Horton moved Regular Session Item A5 to take place prior to the Work Session.

5. Keep Kennedale Beautiful 2024 Gold Star Affiliate Recognition

Mayor Horton recognized the Keep Kennedale Beautiful Committee for becoming at 2024 Gold Star Affiliate.

Mayor Horton resumed the regular order of the agenda.

IV. WORK SESSION

A. WORK SESSION REPORTS

1. Business Occupation Licenses.

Place 5 Nevarez addressed the council with concerns relating to Home Based Business Licenses. Mr. Nevarez advised that an annual renewal process is redundant as a one-time registration of the business would be efficient.

Nathan Gonzales, Community Development Director, agreed that the ordinance is redundant. Mr. Gonzales further explained that other ordinances of the city can be used to address the occupation licenses.

City Attorney Carvan E. Atkins advised the council that it would be in the best interest of the city to review the historical records to established the reason the ordinance was enacted prior to appealing or updating the current ordinance.

2. Amendment to the Development Agreement executed between HM Real Estate Management, Ltd., Cynthia McMillian and the City of Kennedale.

City Manager Hull advised the council that the owner of the property is requesting a six-month extension of the current contract as the owner continues negotiations with a potential buyer of the property.

Mayor Horton moved Regular Session Item C4 to take place prior to Item A3.

4. Consideration of and action on approving an amendment to the Development Agreement executed between HM Real Estate Management, Ltd., Cynthia McMillian and the City of Kennedale.

Place 5 Nevarez motioned to approve an amendment to the Development Agreement executed between HM Real Estate Management, Ltd., Cynthia McMillian and the City of Kennedale.

Place 1 Glover seconded the motion.
No oppositions, No abstentions
Vote: The motion carried unanimously: 4-0

Mayor Horton resumed the regular order of the agenda.

3. Economic Development Incentive Agreement between the City of Kennedale, Texas, Quick Roofing, LLC and QR Purchasing, LLC.

Place 5 Nevarez made a motion to table an Economic Development Incentive Agreement between the City of Kennedale, Texas, Quick Roofing, LLC and QR Purchasing, LLC.

Mayor Pro Tem Michels seconded the motion.
No oppositions, No abstentions
Vote: The motion carried unanimously: 4-0

4. Interlocal Agreement for Improvements to be made to Kennedale Sublett Rd. between the City of Kennedale and Tarrant County.

Place 1 Glover made a motion to table an Interlocal Agreement for Improvements to be made to Kennedale Sublett Rd. between the City of Kennedale and Tarrant County.

Place 5 Nevarez seconded the motion.
No oppositions, No abstentions
Vote: The motion carried unanimously: 4-0

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

No discussion or requests

V. 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

The City Council gave updates on items of public interest including the Annual Kids Fish, Bark in the Park, the BBQ Showdown, the Farmers Market and an Employee Luncheon.

2. Updates from the Mayor

Mayor Horton gave updates of public interest including an event to honor Vietnam Veterans, Dick Price Rd. maintenance, and an upcoming townhall meeting.

3. Updates from the City Manager

No updates were given at this time.

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

Finance Director Jonathan Horton reviewed city financials with the council.

5. Keep Kennedale Beautiful 2024 Gold Star Affiliate Recognition

Presented prior in the meeting.

6. Proclamation of the City of Kennedale declaring May 2024 as Building Safety Month.

Presented prior in the meeting.

City of KENNEDALE Texas EST. 1887 YOU'RE HERE YOUR HOME

7. Presentation to honor Fire Chief James Brown upon his retirement by State Representative David Cook.

Presented prior in the meeting.

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 April 16, 2024 Regular City Council Meeting

2. Approval of the minutes from the April 26, 2024, Special City Council Meeting.

3. Approval of the minutes from the May 13, 2024 Special City Council Meeting.

4. Consider a request for Final Plat for Emerald Crest Estates to create Lots 1 through 10, and Lot 1X, being Lots R1 through 5R and 6, Block 1, Amending Plat of Emerald Crest Estates, an Addition to the City of Kennedale, Tarrant County, Texas.

5. Approval of a contract for Municipal Prosecution Services.

6. Approval of Resolution 630, a Resolution of the City of Kennedale designating the City Manager as the authorized official responsible for coordination to participate in a grant, Citizens on Patrol Program Vehicle, and certifying the City of Kennedale is eligible to receive program assistance.

Mayor Horton removed Consent Agenda Item 4. Consider a request for Final Plat for Emerald Crest Estates to create Lots 1 through 10, and Lot 1X, being Lots R1 through 5R and 6, Block 1, Amending Plat of Emerald Crest Estates, an Addition to the City of Kennedale, Tarrant County, Texas, from the consent agenda.

Place 5 Nevarez motioned to approve all other consent agenda items.

Mayor Pro Tem Michels seconded the motion.
No oppositions, No abstentions
Vote: The motion carried unanimously: 4-0

C. ITEMS FOR INDIVIDUAL CONSIDERATION

4. Consider a request for Final Plat for Emerald Crest Estates to create Lots 1 through 10, and Lot 1X, being Lots R1 through 5R and 6, Block 1, Amending Plat of Emerald

Crest Estates, an Addition to the City of Kennedale, Tarrant County, Texas.

The council carried out discussion regarding the above listed item once removed from the consent agenda by Mayor Horton.

Mayor Horton requested clarification of the choices city council has when approving a plat. City Attorney Atkins advised that the city council has no discretion on approving a plat if the plat conforms to all city regulations.

Mayor Horton advised that he has concerns regarding the drainage and run-off on the property.

Community Development Director Nathan Gonzales advised that the plat has been recommended for approval by the Planning and Zoning Commission and that the plat does conform to all regulations including zoning requirements.

Place 1 Glover motioned to approve a Final Plat for Emerald Crest Estates to create Lots 1 through 10, and Lot 1X, being Lots R1 through 5R and 6, Block 1, Amending Plat of Emerald Crest Estates, an Addition to the City of Kennedale, Tarrant County, Texas.

Mayor Pro Tem Michels seconded the motion.
Place 4 Gary opposed, No abstentions
Vote: The motion carried: 3-1

Break: 8:30 p.m.

Return from break: 8:37 p.m.

1. Consideration of and action on approving a software agreement with Tyler Technologies.

Finance Director Jonathan Horton and Tyler Technologies Representative Kirk Cunningham presented the council with a software agreement in order to allow for the purchase of city software. The software will be used for Finance, Human Resources, and the Municipal Court. .

Place 1 Glover motioned to approve a software agreement with Tyler Technologies.

Place 4 Nevarez seconded the motion.
No oppositions, No abstentions
Vote: The motion carried unanimously: 4-0

2. Consideration of and action on approving a software agreement with MyGov.

Communication Director Nathan Gonzales presented the council with a software

agreement for MyGov. Mr. Gonzales explained that the purchase of the software will allow the permitting department to begin taking applications online and will be more convenient for both customers and staff. Mr. Gonzales further stated that the software would be integrated with Tyler Technologies.

Place 5 Nevarez motioned to approve software agreement with MyGov.

Place 1 Glover seconded the motion.
No oppositions, No abstentions
Vote: The motion carried unanimously: 4-0

3. Consideration of and action on approving a budget amendment for the purchase of software from Tyler Technologies and MyGov.

Finance Director Horton explained the need for the budget amendment stating that since the item was not forecasted in the current budget an amendment would need to be made prior to expending the funds. Mr. Horton advised that the city will be using funding currently budgeted for software, but is seeking additional funding in order to begin the integration of the new software.

Place 1 Glover motioned to approve a budget amendment for the purchase of software from Tyler Technologies and MyGov.

Mayor Pro Tem Michels seconded the motion.
No oppositions, No abstentions
Vote: The motion carried unanimously: 4-0

4. Consideration of and action on approving an amendment to the Development Agreement executed between HM Real Estate Management, Ltd., Cynthia McMillian and the City of Kennedale.

Considered and approved prior in the meeting.

5. Consideration of and Action on the Project Management and Inspections for the Safe Route of School (SRTS) Project.

Director of Public Works Kristian Sugrim presented to the council. Mr. Sugrim advised that the project is set to begin in mid-June and will be completed in approximately seven months.

Place 5 Nevarez motioned to approve the Project Management and Inspections for the Safe Route to School (SRTS) Project.

Place 1 Glover seconded the motion.
No oppositions, No abstentions
Vote: The motion carried unanimously: 4-0

VI. EXECUTIVE SESSION

Mayor Horton adjourned into Executive Session at 9:27 p.m.

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.

1. 400 N. Little School Rd. Repair Estimate

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

1. 205 W. Kennedale Parkway
   Chamber of Commerce Building

C. **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.

D. **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.

1. Economic Development Incentive Agreement Quick Roofing, LLC and QR Purchasing, LLC.

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

Mayor Horton reconvened back into open session at 10:47 p.m.

VIII. ADJOURNMENT

Place 5 Nevarez made a motion to adjourn the meeting.

Place 4 Gary seconded the motion.
No oppositions, No abstentions
Vote: The motion carried unanimously: 4-0

There being no further business Mayor Horton adjourned the meeting at 10:48 p.m.

APPROVED:

Brad Horton

MAYOR BRAD HORTON

ATTEST:

B. J. Taylor

CITY SECRETARY BOBBIE JO TAYLOR

CITY OF KENNEDALE SEAL TARRANT COUNTY, TEXAS