

Minutes
January 16th, 2020 @ 6:00pm
Regular Council Meeting

1. Call to Order @ 6:00 pm
2. Roll Call: Fladmark, McDonald, Austin, Hamaker, Sestito and Harrison. Quorum was established with Mayor Austin presiding.
3. Invocation and Pledge of Allegiance
4. Open public hearing to receive testimony on a request by Ross Ridler and Stephanie Love of 312 Tangle Dr. to replat lots 9, 10 and 11 of block 6 in the Arnold Hills subdivision creating two lots; on 0.28-acre lot; 9R and one 0.30-acre lot; 11R.
Public Hearing closed at 6:04 pm.
5. Action to approve the foregoing request by Ross Ridler and Stephanie Love to replat lots 9-11 of block 6 in the Arnold Hills subdivision creating two lots; 9R and 11R. Motion to approve was made by Council Member Harrison, second by Council Member Sestito. Motion passed 5/0.
6. Citizen Comments: (3 Minute Maximum) Wendy Spivey introduced herself running for County Commissioner. She was asked many questions by citizens and council members.
7. Approve Minutes: December 19th, 2019. Council Member McDonald questioned item #10. He mentioned that he listened to the recording from the meeting and that Mayor Austin did not state the code involved in entering into Executive Session and believes it was a violation. Also, the verbiage at the bottom did not highlight going into Executive Session and he believes that is a violation as well. Council Member McDonald made a motion to table approving the minutes until next meeting, second by Council Member Sestito. Motion to table passed 5/0.
8. Approve Consent Agenda Items "A" thru "G"; Monthly Activity Reports for December 2019 as presented: (A) Municipal Court; (B) Police; (C) Financial and Expenditure; (D) Maintenance; (E) Building (F) Code Enforcement and; (G) Animal Control. Motion to approve was made by Council Member Harrison, second by Council Member Sestito. Motion passed 5/0.
9. Action to adopt Ordinance 2020-01 Code Supplement, amending the code of ordinances to include all approved and adopted 2019 Ordinances. Motion to approve was made by Council Member Fladmark, second by Council Member Sestito. Motion passed 5/0.
10. Action to adopt a fee to be assessed for all replat requests. Citizen Phil Ringley of 117 Oak Circle spoke and wanted a breakdown of costs associated with a replat. Motion to approve the adoption of a \$150.00 fee for the replat process was made by Council Member Sestito, second by Council Member Fladmark. Motion passed 5/0.
11. Action to approve the purchase of property located at 805 Oak Circle, lots 13-20 and 38-49. Citizen Robert Tatum of 2013 Island Circle spoke in favor of the purchase and mentioned that the community needs a park. Citizen Fran Sonka of 104 Latimer Drive spoke against the purchase and read a letter that she had prepared expressing that she is concerned that the City of Tool will be known for undermining its citizens. Citizen Roland Napoles of 214 Plantation Drive spoke against the purchase and argued that the item needs to be dropped because the purchase could be illegal based on misconduct from previous meeting and information being withheld from public. Mayor Austin assured him that everything was legal. He continued to have discussion with Mayor Austin and became loud and noticeably angry. Citizen Phil Ringley passed. Citizen Gary Duncanson of 1312 Sunset Court spoke in favor of purchase and park. Citizen Jean Bothe of 600 Winding Shore spoke in favor of purchase and park. Citizen Liz Mellor of 1956 Cherokee Trace spoke in favor of purchase and park.

Council Member McDonald spoke to explain his opposition of the purchase and what has influenced his vote. He questioned Council Member Harrison regarding the expiration date of the contract on the property being December 27th and if an extension form had been filed. Council Member Harrison expressed that the contract is still binding until someone terminates. Council Member McDonald mentioned that he consulted with two different contacts about this issue and that without a TREC form it is expired. Council Member Harrison expressed again that it is not expired. Council Member Fladmark spoke and had some questions regarding the layout and space of the park. Council Member Harrison mentioned that she has spoken with Principal Calhoun at Tool Elementary and multiple teachers and parents who are in favor, and that she believes a park would benefit

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the community in multiple ways. Council Member Sestito spoke in favor of the park form any reasons that would benefit the community. Mayor Austin echoed Council Member Sestito's thoughts and asked for a motion to approve. Motion to approve was made by Council Member Hamaker, second by Council Member Fladmark. Council Member McDonald opposed. Motion passed 4/1.

General Discussions

12. Staff. Council Member Harrison thanked everyone for their feedback. Council Member Sestito thanked everyone and mentioned an upcoming phone call with representatives of Keep Texas Beautiful regarding Keep Tool Beautiful. Council Member McDonald thanked everyone, as did Council Member Fladmark. City Secretary Lyons expressed that unless there was intent to violate the OMA then the executive session during the December meeting was not illegal.

Closing

13. Next Meeting: February 20th, 2020
14. Adjourned at 6:58 pm.

Passed and Approved this 20th day of February 2020:

Attest:

SEAL

Tawnya Austin, Mayor

Makenzie Lyons, City Secretary