

Minutes
April 16th, 2019 @ 6:00pm
Regular Council Meeting

1. Called to Order @ 6:00pm
2. Roll Call: Fladmark, McDonald, Austin, Hamaker, Sestito and Harrison. Quorum was established with Mayor Austin presiding.
3. Citizen Comments: Citizens wishing to speak on an agenda item must sign up to do so (3 Minute Maximum)
4. Approve Minutes: Regular Meeting February 20th, Special Meeting March 02nd and Emergency Meetings March 19th, March 24th and April 03rd, 2020. Motion to approve was made by Council Member Fladmark, second by Council Member Sestito. Motion passed 5/0.
5. Approve Consent Agenda Items “A” thru “G”; Monthly Activity Reports for February and March of 2020 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 McDonald. Motion passed 5/0.
6. Action on a request by Keith Stecher and Ronald Lewis to replat lots 66, 67, 68 and 69 in block seven of the Arnold Hills Subdivision creating one 0.43-acre lot; 68R and one 0.44-acre lot; 66R. Council Member Harrison refrained from vote, because she was the Selling Agent on the property in question. Motion to approve was made by Council Member Fladmark, second by Council Member Hamaker. Motion passed 4/0 with Council Member Harrison passing.
7. Action on a request by Tony and Lisa Bridges to replat lots 136R and 137R of the Paradise Bay subdivision creating one 0.65-acre lot; 136RR. Motion to pass was made by Council Member Fladmark, second by Council Member McDonald. Motion passed 5/0.
8. Action on a request by Kenneth Gross to replat lots 351 and a part of lot 306 of Westwood Beach section II creating one 0.131-acre lot; 351R. Motion to approve was made by Council Member Harrison, second by Council Member Fladmark. Motion passed 5/0.
9. Action to approve a contract agreement with Republic Services for waste management services.
 - Laura Capehart of Republic Services was in attendance of the virtual meeting and fielding questions from Council.
 - Council Member McDonald asked if the recycle container would be off-site and if the city would be responsible for monitoring the container. Mrs. Capehart explained that having an off-site container would add zero increase to the cost of services for citizens but having pick-up would add a \$1 increase, and that the city would be responsible for monitoring the container. City Secretary Lyons added that the container will be placed in view of the cameras on City Hall grounds to help with monitoring and deter people from illegally dumping.
 - Mayor Austin said that it would more than likely be trial and error to determine a pickup schedule.
 - Council Member Sestito asked if the container would have separate compartments for the different recyclable materials and if there would be a lock on the container. Mrs. Capehart explained that the recyclables would be co-mingled and that a lock could be fitted onto the container.
 - Council Member Fladmark asked if there would be signage or a specific color to signify recycle only, and how often the container would be emptied. Mrs. Capehart said that the container will be “Republic” Blue and that there will be stickers on the container showing what materials are NOT acceptable. She also said that pickup would be on-call and done as needed.
 - Council Member Sestito asked if bulk pick-up was on-call and how often they picked up. Mrs. Capehart explained that bulk pick-up is an add-on, and it would cost the citizens .90 cents per home, and that it would be 1 cubic yard per week per household. She added that it would help with code compliance and the trash-off. She also mentioned that it would require a bigger truck than normal to be used for pick-up.
 - Mrs. Capehart’s mention of a bigger truck being used led to questions from Council regarding the weight difference of the loaded truck and how it would affect wear and tear on the roads. Mrs. Capehart

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explained that it is not a significant difference in weight, and that the bigger truck differentiates the weight between more axels, which in turn displaces the weight more evenly on the road. Maintenance Supervisor Martin said that the weight isn't the main concern for the roads, that it is the rear drag-axel on the big truck that would cause damage. Mrs. Capehart said that is drag was the main concern then it may be a better idea to stick with the smaller single axel truck.

- Mayor Austin asked if citizens could wait to have their material picked up if we stuck with smaller truck. Mrs. Capehart said that call for service could be postponed if needed to keep the single axel.
- Mrs. Capehart also explained that they would be generous with the 1 cubic yard.
- Council Member Sestito asked how long the wait is for pick-up and what time it usually happens. Mrs. Capehart said that bulk pick-up will happen on trash day if the item/s are left by trash, that there will be no pick-up for tires or refrigerators, and that on-call pick-up would allow for the citizen to know pertinent info about when the item/s would be picked up.
- Motion to approve was made by Council Member Sestito, second by Council Member Fladmark. Motion passed 5/0.

10. Action to approve a standard professional services agreement with Bureau Veritas North America, Inc. for Phase 1, base mapping services.

- City Secretary Lyons mentioned that the representative for Bureau Veritas (BV) had made multiple trips to City Hall leading up to this, and that he was the same person who made the previous city map in 2000. She also mentioned that a new map would help with election season, census, and many other areas in the city.
- Council Member Harrison asked if surveyors will be needed. City Secretary Lyons explained that we would start in-house with Articles of Incorporation and maps, then use the current CAD for the city and compare the data. After that an ordinance would be presented to adopt a new map, but before that happens we need to know what is being adopted.
- Mayor Austin said that the fee for base mapping would not exceed \$5,000.00.
- Council Member Sestito asked if this will cover city ROWs obstructed by private fences. City Secretary Lyons said that it would.
- Council Member Fladmark asked if they would be conducting a title search. City Secretary Lyons said that it wouldn't be necessary to do a title search, because Articles of Incorporation define the meets & bounds, and that maps will be generated off of that.
- Motion to approve was made by Council Member Sestito, Second by Council Member Harrison. Motion passed 5/0.

11. Garrett Havens to provide an update on the pursuit of a Citizens Institute on Rural Design (CIRD) grant. Item postponed to later date, because grant application deadline isn't until August.

12. Action to confirm the submission of the 2018 Racial Profiling Report by Chief of Police Tommy Lawhon. This item is supposed to say 2019 Racial Profiling Report, not 2018. Motion to approve was made by Council Member Sestito, second by Council Member Fladmark. Motion passed 5/0.

13. Action to request assistance from Pct. 1 County Commissioner to clean ditches and replace culverts on West Will White road beginning at the intersection of SH 274 and ending at the City limit: approximately 4/10's of a mile.

- Maintenance Supervisor Martin explained that rain causes the road to go underwater and that they need to clean or replace culverts, and that they do not have the time or man power to do it alone.
- Council Member Sestito asked if the County will clean outside of city limits. Maintenance Supervisor Martin said that he is not sure but hopes so.
- Council Member Harrison asked if it would be complete passed the daycare. Maintenance Supervisor Martin said yes it would.

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- Motion to approve was made by Council Member Fladmark, second by Council Member McDonald. Motion passed 5/0.

14. Action to approve the purchase of a new laptop and an iPad from the Court's Technology Fund.

- City Secretary Lyons explained that the court is in the process of digitizing to save time and to cross train, and that one challenge is finding a way for defendants to sign. This will require the use of a device, and the iPad is the most affordable option for that. The laptop will be beneficial for many reasons to elevate to next level for digitizing court.
- Mayor Austin explained that it eliminated the need for scanning and that Judge Pollock is in favor of the idea. She also mentioned that it is low cost and that the money is sitting there in the Court Tech Fund.
- Council Member Sestito asked if this would meet the needs of Court completely and for how long. City Secretary Lyons said that both items need to be kept protected and that they should last for quite a few years, and that Dell has a 3-year support program.
- Council made the choice to buy out right instead of financing.
- Motion to approve was made by Council Member Fladmark, second by Council Member McDonald. Motion passed 5/0.

15. Action to authorize the purchase of a John Deere 5100E Utility Tractor as well as an Alamo RM165 Flair Mower attachment from the City's general fund.

- Council Member Fladmark asked how long the current tractor has lasted, and if the new tractor would be ready for the Spring season. Maintenance Supervisor Martin explained that the original tractor was "old" when purchased and has cost several thousands of dollars in up-keep, has been in the shop 3 times, and that parts are hard to come by. He also mentioned that the new tractor would be ready for Spring and can run year-round.
- Council Member McDonald asked if it was an option to use County equipment. Maintenance Supervisor Martin said that the County has a rotary cutter and has a lot of liability with that, and that Flail type is a better cut.
- Council Member Fladmark said that buying used is almost the same price as buying new.
- Council Member Sestito asked what the intent would be with the old equipment. Maintenance Supervisor Martin explained that it is required by law to auction off old equipment.
- Council Member Fladmark asked if John Deere would come to service if needed. Maintenance Supervisor Martin said that they would.
- Motion to authorize purchase was made by Council Member Harrison, second by Council Member Hamaker. Motion passed 4/1 with Council Member McDonald opposed.

16. Action to transfer excess unrestricted funds from the Municipal Court's Municipal fund balance into the City's Emergency Fund account. Motion to approve was made by Council Member Fladmark, second by Council Member Harrison. Motion passed 5/0.

17. Action to adopt Ordinance # 2019-05B_A1 amending the City of Tool's 2019-2020 fiscal year budget. Motion to adopt was made by Council Member Harrison, second by Council Member Sestito. Motion passed 5/0.

18. Consider and take action on an ordinance authorizing the issuance and sale of the City of Tool, Texas General Obligation Refunding Bond, Series 2020; levying an annual ad valorem tax and providing for the security for and payment of said Bond; providing an effective date; and enacting other provisions relating to the subject.

- Mark McLiney, Representative for SAMCO Capital, was in attendance of the virtual meeting.
- Mr. McLiney explained that \$1,500,000.00 would be refunded at the interest rate of 1.1%, and that the savings would be net with all costs. He also mentioned that this doesn't extend the existing debt, just lowers the interest rate.

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- Motion to approve was made by Council Member Sestito, second by Council Member Harrison. Motion passed 5/0.

19. Consider and take action on an ordinance authorizing the issuance and sale of the City of Tool, Texas Combination Tax and Limited Surplus Revenue Certificate of Obligation, Series 2020; levying an annual ad valorem tax and providing for the security for and payment of said Certificate; providing an effective date; and enacting other provisions relating to the subject.

- Mr. McLiney explained that they were able to procure a better interest rate than what was bid at 2.1%. This would allow for \$215,000 more principal at \$3,000 less cost than what was presented in March.
- Mayor Austin explained that we can do more with the revenue now than originally planned, and that all moneys have to come back to council.
- Council Member Harrison asked where the surplus funds will be held. Mayor Austin explained that as it happens, council will decide where the funds need to go in the budget.
- Council Member McDonald explained that during this time of a pandemic it has him even more concerned about this. He asked if anyone else was concerned and wanted to hear Council's input. Council Member Harrison made the point that the large majority of the city's revenue comes from property taxes, we are not dependent on sales tax, and that most mortgages encompass property taxes, so this leaves her feeling no concern. Council Member Fladmark explained that given our tax base and that they ability to pay will remain, that this is a positive for the City. He asked Council Member McDonald when he thought we'd be able to get the roads done if not with this opportunity. He added that we will have to do it with moneys that have to be borrowed and that he feels like SAMCO is a solid team to work with. Council Member Sestito said that he feels like it is a benefit to go with the low interest rates.
- Motion to take action was made by Council Member Fladmark, second by Council Member Harrison. Motion passed 4/1 with Council Member McDonald opposed.

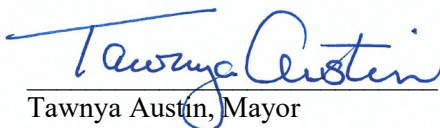
General Discussions

20. Council Member Sestito mentioned that Keep Tool Beautiful's digital sign project would be completed by next week. He also wanted to encourage citizens to participate in the Census. Council Member Fladmark asked where citizens could be updated on COVID19 status and info about the census. Mayor Austin said that NetHealth does a NE TX update with demographics, and that City Secretary Lyons is posting about both subjects across all platforms.

Closing

21. Next Meeting: May 21st, 2020
22. Adjourned @ 7:35pm.

Passed and approved this 21st day of May 2020.


Tawnya Austin, Mayor



Attest:


Makenzie Lyons, City Secretary