

Minutes  
August 18, 2022 @  
Regular Council Meeting

1. Call to Order @ 6:02pm.
2. Roll Call: Fladmark, Dumont, Austin, Sestito and Harrison present.
  - a. **Quorum Established**
3. Invocation and Pledge of Allegiance
4. Citizen Comments: Citizens wishing to speak on an agenda item must sign up to do so (3 Minute Maximum)
  - a. Roland Napoles inquired on item number 17 asking “what is the proposed budget?” He also spoke in regard to item number 18 stating that that taxes have always increased and asked council not increase taxes.
5. Approve Minutes: July 12th, 2022, Special Meeting and July 12, 2022, Regular Meeting. Motion to approve made by Councilmember Harrison with second by Councilmember Dumont. Motion Passed 4/0.
6. Presentation on the Crimes Against Children Task Force by Henderson County Sheriff Botie Hillhouse.
7. General discussion on Roberts Rules of Order.
8. Open the public hearing to receive testimony on the following at 6:28pm.
  - a. An unsafe building located at 331 Tepoto Rd reputedly owned by Faulkner Lenore Robinson Estate.
    - Terry Fenwick who resides at 327 Tepoto spoke in regard that 331 Tepoto Rd stating that the property is a hazard to the city and has no water or sewer. In the past eight months is has killed four oak trees on Mr. Fenwick’s by the means of urine and feces be dumped in his yard. He is wanting to know what the city is intending to do about this property.
  - b. An unsafe building located at 1216 S. Tool Dr. reputedly owned by Julio Banegas.
    - Julio Banegas who is the owner of property stated that a letter of eviction will reach the 30-day mark on August 22, 2022. At that time, he is then legally required to wait five days then file with the Justice of the Peace on August 28, 2022. He is unable to provide an estimate for repairs at this time and will be unable until the property is vacated. Mr. Banegas is requesting for the time needed to complete the eviction which is estimated to take 30 to 45 days. Councilmember Sestito recommended that if approved that he would like him to come back to the Council Meeting on October 20, 2022, with an update.
9. Close the public hearing and take any action necessary at 6:54pm.
  - a. Motion to abate building by means of demolition immediately made by Councilmember Dumont with second by Councilmember Sestito. Motion Passed 4/0.
  - b. Motion to table until October 20<sup>th</sup> Regular Council Meeting made by Councilmember Dumont with second by Councilmember Harrison. Motion Passed 4/0.
10. Approve Consent Agenda Items "A" thru "G"; Monthly Activity Reports for July 2022 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 made by Councilmember Harrison with second by Councilmember Fladmark. Motion Passed 4/0.
11. Discuss and take action to adopt Resolution 2022-03R, Crimes Against Children Task Force. Motion to approve made by Councilmember Fladmark with second by Councilmember Harrison. Motion Passed 4/0.
12. Discuss and take action to adopt Ordinance 2022-04, Accessory Use Building. Motion to revise and revisit at a later date mad by Councilmember Harrison with second by Councilmember Dumont. Motion Passed 4/0.
13. Discuss and take action to adopt Ordinance 2022-05, Garbage Containers Within City Limits. Motion to table and revise language and create two separate ordinances made by Councilmember Harrison with second by Councilmember Fladmark. Motion Passed 4/0.
14. Discuss and take action to adopt Ordinance 2022-06, Removal of dead trees, limbs, tree trunks, etc. Motion to table for further discussion made by Councilmember Dumont with second by Councilmember Fladmark. Motion Passed 4/0.
15. Discuss and take action to adopt revised city employee job descriptions. Motion to table until next meeting made by Councilmember Sestito with second by Councilmember Harrison. Motion Passed 4/0.

16. Discuss and take action to adopt amendments to employee handbook. Motion to approve made by Councilmember Sestito with second by Councilmember Dumont. Motion Passed 4/0.
17. Consider, act, and take record vote on proposed FY 22-23 budget. Motion to approve the proposed FY 22-23 budget was made by Councilmember Sestito with second by Councilmember Fladmark. Motion Passed 4/0.
  - a. Councilmember Fladmark voted yes on the proposed FY 22-23 budget.
  - b. Councilmember Dumont voted yes on the proposed FY 22-23 budget.
  - c. Councilmember Sestito voted yes on the proposed FY 22-23 budget.
  - d. Councilmember Harrison voted yes on the proposed FY 22-23 budget.
18. Consider, act, and take record vote on proposed FY 22-23 tax rate. Motion to approve the proposed FY 22-23 tax rate was made by Councilmember Harrison with second by Councilmember Fladmark. Motion Passed 4/0.
  - a. Councilmember Fladmark voted yes on the proposed FY 22-23 tax rate.
  - b. Councilmember Dumont voted yes on the proposed FY 22-23 tax rate.
  - c. Councilmember Sestito voted yes on the proposed FY 22-23 tax rate.
  - d. Councilmember Harrison voted yes on the proposed FY 22-23 tax rate.

**Closing**

19. Next Meeting: September 15, 2022
20. Adjourn @ 8:49pm.

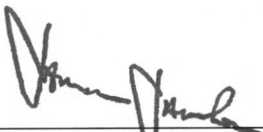
Passed and approved on this 15<sup>th</sup> day of September 2022.

**A meeting that is “open to the public”, pursuant to the Open Meetings Act, is one that the public is permitted to attend. The act does not entitle the public to choose the items to be discussed or to speak about items on the agenda.** If the City Council, during the course of the meeting covered by this notice, should determine that an executive session is required, then such executive session, as authorized by the Texas Open Meetings Act, Texas Government Code, Section 551.001 et seq., will be held by the Council at the date, hour and place given in this notice, concerning but not limited to the following sections and purposes of the Act: 551.071 Private consultation with the city’s attorney; 551.072 Deliberations about Real Property; or, 551.074 Discussing personnel or to hear complaints against personnel. Should any final action, final decision or final vote be required in the opinion of the City Council with regard to any matter considered in such executive session, then the final action, final decision or final vote shall be in the open meeting covered by this Notice upon the reconvening of the public meeting.


**“Pursuant to Texas Government Code section 551.007, members of the public may speak on an agenda item during the citizens comment section of the meeting or at the time the agenda item is called for discussion by the Mayor.** Speakers must sign up with the City Secretary to speak and shall be given three (3) minutes to speak. A speaker needing a translator and/or interpreter may be given six (6) minutes to speak. Criticism of city employees or staff is prohibited. Those wishing to address the Council regarding an item not on the agenda must be a citizen, property owner or business owner of Tool. Comments on such non-agenda items shall be limited to three minutes. The Council will not comment on items not on the agenda; however, the Council may refer the item to city staff for research, resolution or referral of the matter to the Council as a future agenda item.”

I certify that the above notice of meeting, a true and correct copy, was posted on the bulletin board in front of Tool City Hall prior to the required 72 hours and that the city’s official newspaper was notified.

Attest:

  
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 Tommy Lawhon, Mayor



  
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 Cheryl Odom, City Secretary