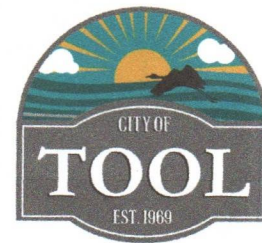


Minutes
October 19th, 2023 @ 6:00 p.m.
Regular Council Meeting



- 1) Call to Order @ 6:02PM
- 2) Roll Call: Brasfield, Dumont, Figueroa, Fladmark, Holley, Lawhon. Holley Absent with Mayor Lawhon Presiding

(a) Establish Quorum

- 3) Invocation and Pledge of Allegiance

Presentations, Proclamations and Recognitions

- 4) Leslie Anderson of the Eight at Tool Park Construction Committee to give updates on bid process and committee reports. The Construction Committee and the City Controller reviewed the park budget at their last meeting and have received the following bids to date: two bids for grading, one bid for concrete, one bid for amphitheater construction and one bid for the amphitheater to be erected. Councilmember Fladmark requested a timeline for construction to start on the park. Committee Chair Leslie Anderson stated that it could be 60 days out for grading due to the pending status from Texas Parks and Wildlife on the rework of the plans. Councilmember Dumont stated that the final amendment to the park plans had been approved and signed by Texas Parks and Wildlife and that he expects grading to start much sooner. Councilmember Dumont continued by stating that he wanted to make everyone aware that the Park has officially been started.
- 5) Vicki Dumont of the Eight at Tool Fundraising & Finance Committee to give updates on fundraising efforts. Committee Chair Vicki Dumont presented the income and expenditures from the gala that was held in October 2021 to benefit the Eight at Tool Park. Committee Chair Dumont continued by stating that there were still several unpaid pledges and that at the time of the meeting there was \$44,240.00 in unpaid pledges for the park. Committee Chair Dumont concluded her presentation by providing an update on the brick fundraiser for the park.
- 6) City Administrator Julius Kizsee to present an award of recognition. City Administrator Julius Kizsee presented Maintenance Supervisor Frank Martin a Certificate of Achievement for his 20 years of service with the City of Tool along with a key to the city. City Secretary Kimberley Price congratulated Maintenance Supervisor Martin for his years of service to the City of Tool. All present Councilmembers congratulated Maintenance Supervisor Martin for his dedication to the citizens and City of Tool as a whole.
- 7) **Citizen Comments:** Citizens wishing to speak on an agenda item must sign up to do so (**3 Minute Maximum**)
 - (a) Candy Polk requested a projection schedule for the project happening in Live Oak Landing and expressed concern for the roads being damaged.
- 8) **Consent Agenda** - *Approval of Consent Agenda items authorize each to be implemented in accordance with staff recommendations provided. An item may be removed from the consent agenda and added to the Statutory Agenda for full discussion upon request by a member of the Council present at this meeting.*
 - A. Approve Minutes: September 21st, 2023 Regular Meeting. Councilmember Fladmark requested edits be made to the Minutes from this meeting. Motion to Approve the Minutes from the September 21st, 2023 Regular Meeting as amended was made by Councilmember Figueroa with second by Councilmember Dumont. Motion Passed 4/0.
 - B. Approve Monthly Activity Reports for September 2023 as presented: (A) Executive Summary (B) Financial and Expenditure (C) Municipal Court; (D) Police (E) Maintenance; (F) Building (G) Code Enforcement and; (H) Animal Control.

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All departments presented their Monthly Reports in the order listed on this item. Councilmember Fladmark inquired if September was a busy month for the Police Department. Councilmember Dumont requested clarification from the Building & Code Department in regard to the Landscape Assistance Program. Motion to Approve Monthly Activity Reports for September 2023 as presented by staff was made by Councilmember Dumont with second by Councilmember Figueroa. Motion Passed 4/0.

Statutory Agenda - *The purpose of this section is to have full discussion upon request by the Tool City Council. Ideas, thoughts and decisions are formulated by City Council and staff plans, operations, policies, and/or future projects, including the following:*

- 9) Discuss, Consider and Take Action to approve Job Descriptions for a Code Enforcement Officer, City Controller and Director of Maintenance and Operations. City Administrator Kizzee stated that all three positions are currently budgeted for. City Administrator Kizzee continued by stating that currently the Code Enforcement position is filled, the City Controller position is unfilled/not replaced, and the Director of Maintenance and Operations is only a title change replacing the previous title of Maintenance Supervisor. Councilmember Fladmark requested several edits to the Job Descriptions including adding the salaries to each Job Description. Councilmember Figueroa requested that the City Controller position be in charge of Hotel Occupancy Tax Collections and the collection of Short-Term Rental Permit Fees. Motion to Adopt and Approve Job Descriptions for a Code Enforcement Officer, City Controller and Director of Maintenance and Operations as amended was made by Councilmember Fladmark with second by Councilmember Dumont. Motion Passed 4/0.
- 10) Act on a request by Robert Cochrane of 1000 South Tool Drive to allow the construction of a carport in a B-1 Zoning District. Robert Cochrane stated that his original permit for a carport was denied due to the beautification project on Highway 274. Councilmember Figueroa asked Building & Code Official Lacosta Davis if she recommended that this variance be granted, to which Building & Code Official Davis stated that yes, she recommended this variance be granted. Councilmember Dumont asked Building & Code Official Davis if the carport would be behind the building to which Building & Code Official Davis stated that it would be behind the building. Councilmember Fladmark inquired if the foundation for the carport would be cement to which Robert Cochrane stated that the carport was a red dot building and would be a continuation of the roof. Motion to Approve the Request by Robert Cochrane of 1000 South Tool Drive to allow the construction of a carport in a B-1 Zoning District behind the place of business was made by Councilmember Dumont with second by Councilmember Figueroa. Motion Passed 4/0.
- 11) Act on a request by David and Nancy Benson of 1915 Cherokee Trace to allow the rebuild of his home past the build line. David Benson stated that they are requesting to tear down and rebuild the garage completely. Councilmember Dumont stated that new garage doors would be an improvement and that drainage would flow back to the lake properly. Councilmember Dumont continued by asking Building & Code Official Davis if she recommended that this variance be granted, to which Building & Code Official Davis stated that yes, she recommended this variance be granted. Councilmember Dumont concluded by stating that the actual address in question was 1710 Oak Shore Drive. Motion to Approve a request by David and Nancy Benson of 1710 Oak Shore Drive to allow the rebuild of his home past the build line was made by Councilmember Fladmark with second by Councilmember Dumont. Motion Passed 4/0.

Minutes

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- 12) Action to adopt amendments to the Employee Handbook, including a revision of the Vacation Policy. City Administrator Julius Kizzee stated that there were several issues that needed to be addressed. Motion to Adopt amendments to the Employee Handbook, including a revision of the Vacation Policy as amended was made by Councilmember Fladmark with second by Councilmember Dumont. Motion Passed 4/0.

Ordinance Readings

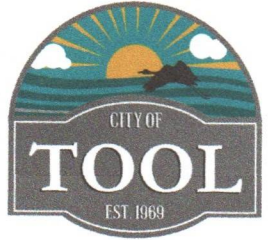
- 13) Consider and Take Action to adopt Ordinance 2023-13, Capital Improvement Fund. City Administrator Kizzee stated that the Capital Improvement Funds purpose would be to fund major projects in the future without going out for bonds. City Administrator Kizzee continued by stating that the initial deposit for this fund would be \$200,000 dollars this fiscal year and that he is requesting that the City Administrator's spending limit without going before City Council be set at \$10,000. Councilmember Dumont recommended the City Administrator spending limit be set at \$5,000 in accordance with the Employee Handbook. Councilmember Figueroa stated that the spending limit be set at \$10,000 and then reduced that amount to \$7,500. Councilmember Fladmark inquired how these purchases would be shown in the financials to which Councilmember Figueroa stated that the purchases would be on the monthly Profit and Loss statement. Councilmember Figueroa continued by stating that he recommended adding that the City Administrator must call each Councilmember prior to purchasing from this fund. Councilmember Fladmark inquired if property could be purchased with monies from the Capital Improvement Fund to which both City Administrator Kizzee and Councilmember Figueroa stated that yes, property could be purchased through this fund. Councilmember Figueroa inquired if the Emergency Fund must be listed as an Emergency Fund and how an emergency is defined. Councilmember Figueroa concluded by stating that he felt that the Emergency Fund and Capital Improvement Fund should be one fund named Capital Improvement Fund.
- a) Vera Bennett stated she agreed with the creation of a Capital Improvement fund but disagreed that the Emergency Fund and Capital Improvement Fund be joined to create one fund. Vera Bennett continued by stating that Chapter 395 of the Texas Local Government Code limits what Capital Improvement Fund monies can be used for and recommend the City Administrator contact a Texas Municipal League attorney to ensure the city is complying with Chapter 395 of the Texas Local Government Code. Councilmember Dumont requested that City Administrator Kizzee contact the City's Attorney as well for clarification.

Motion to Table Ordinance 2023-13, Capital Improvement Fund was made by Councilmember Brasfield with second by Councilmember Dumont. Motion Passed 4/0.

- 14) **Council Comments** - *Hear announcements concerning matters appearing on the agenda; items of community interest; and/or inquiries of staff regarding specific factual information or existing policy from the Mayor, Councilpersons, and City staff, for which no formal action will be discussed or taken.*
- a) Councilmember Dumont stated the Fall Festival that was held on October 14th was a success.
b) Councilmember Figueroa stated that Fig & Parsley was off to a good start.
c) Councilmember Fladmark requested that City Administrator Kizzee move fast on adding glass to the recycling signage on the recycling dumpster.
- 15) **Staff Comments** - *Hear announcements concerning matters appearing on the agenda; items of community interest; Staff gives regards dealing with specific factual information or existing policy dealing within the City, that may have an impact on citizens, staff or the City Council of Tool. No formal action will be discussed or taken.*
- a) City Administrator Kizzee congratulated Director of Maintenance and Operations Martin on his 20 years of service.

Minutes

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16) **Closing**

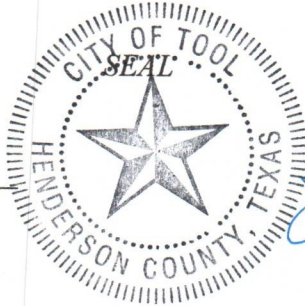
- A. Next Meeting: November 16th, 2023
- B. Adjourn@ 7:52pm

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 regarding 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.

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:

Tommy Lawhon, Mayor



Kimberley Price, City Secretary