

Minutes  
Town of Poetry  
**Regular Town Council Meeting**

Tuesday, August 17<sup>th</sup>, 2021

6:30 pm

Faith Temple Baptist Church  
11214 FM 1565 Poetry, 75160

- a) The Mayor called the council meeting to order – 6:34pm, due to the bad weather.
- b) The Mayor then called roll to confirm a quorum, all were present.
- c) The Pledge of Allegiance led by Council Member White
- d) Invocation was then given by Council Member White
- e) **CITIZEN COMMENTS: Persons wishing to speak on any posted agenda item may do so when the individual item is opened for consideration by the Council. Speakers will be limited to three (3) minutes unless a longer period of time is allowed by law for use of a translator. Persons wishing to speak must sign up at least 24 hours in advance of the meeting by emailing [contact@poetrytexas.org](mailto:contact@poetrytexas.org) or by signing up in person at meeting location from 6:00-6:30 pm with name, address and agenda item on which to there is a desire to speak. You must be signed up to speak during the meeting. Comments should be respectful with no personal attacks. To preserve the order and decorum of meeting of the Town council, any person who makes, profane, slanderous or threatening remarks or who becomes disruptive during the meeting will be asked to leave the Council Chambers. (Tex. Loc. Gov. Code §§ 38.13, 42.05)**
- f) **Items of Community Interest:**  
*Pursuant to Section 551.0415 of the Texas Government Code, the Town Council had the following to report:*
  - 1) **Camp Ground Work day** as always scheduled on the Saturday after the Town Council meeting. This will be **Saturday August 21<sup>th</sup>, 2021 from 9-5 pm** [siding, stripping floors, etc.]
  - 2) **Introduction of Kaufman County Road Commissioner and Supervisor.**
    - a. Aaron Conway Pct. 3 congratulated everyone on becoming a town said it was a big step. He informed the citizens that if they were in Kaufman County and called to complain about the roads, he was

the one that came out and spoke to them, if they weren't satisfied it wasn't his fault.

- b. The Mayor then informed the citizens that she had a meeting with Arron and the District Attorney of Kaufman about an interlocal agreement.
- c. Terry Barber had been out for knee surgery. Thanked the Mayor and Council for asking him out, and said he noticed a few faces out there, and hoped they voted for him. He stated that his supervisor Arron has done a great job in his absence. He informed the citizens that they were almost late because of a flood issue at 6:00 pm. He stated he was leaving some cards for the citizens with his cell phone number on it, and if someone reached out to him, they would work to get them answers or fix the problem. He also congregated the town on becoming a town and was impressed as to the amount of people that showed up for a council meeting.

**3) Introduction of Hunt County Sheriff.**

- a. Shannon Morel (had to be excused electrical system in vehicle)
- b. Terry Jones Hunt County – Phone number (903) 461-1843, Shannon Morel is the Public Relations officer and he explained why she wasn't in attendance. He then introduced his Chief Deputy Buddy Oxford, and Patrol Lieutenant Jacob Smith. He then welcomed the City of Poetry to Hunt County. He's been in law enforcement for 28 years, for the county he's been 5 generations in Hunt County. He has spent 14 years running on all these roads. He said he runs 3 persons on a minimum shift and the maximum of 5 to 6 persons on a shift. Sherriff runs 25 patrolmen 10 investigators, 80 jailers, dispatchers. If you need anything reach out to us.
- c. Council Member Fowler introduced Wade Boudman from Kaufman County, he wasn't able to be here last month, so he's here tonight.

**g) Reports:**

- 1. Road Report - a do-gooder on CR 2332 patched some holes today in the ETJ. Kevin Senkevech from the volunteer road crew reported that a couple of weeks ago they patched 60 holes on CR 323, CR 2326, 2400. This Thursday they will do about three tons of good quality asphalt and is looking for any volunteers that will be able to help on Thursday afternoon to patch some holes.
- 2. Planning & Zoning Citizens Report – Katherine – we have 9 people with different backgrounds they have had a couple of meetings, keeping in mind to keeping Poetry.... Poetry. They were tasked with keeping with the rules of the general rule of a Type A town. One of the tasks was zoning. Looking at the neighboring towns and areas and see what they are doing, it seems as though they are looking at expanding

at which Poetry is at the opposite. They have had two meetings that were well attended and have a lot to discuss. And looks out for the neighbors to reach out with suggestions.

3. Annex Refurbishment Report – getting feedback on HVAC and plumbing. It's coming along, they have \$6,200 could use some more donations, they still have those two items and trim work to finish up. Saturday they will be finishing up the siding and any volunteers are greatly welcomed.
4. TML Training in Bastrop, TX – The Mayor and Council Member Anderson attended at their own expense. Then Council Member Anderson added that they learned a lot. They met people and got ideas as to what other town and cities are doing. He found out that the others were easy to talk to and to ask questions and get answers like roads, to see what it was that they were doing and how they were doing it. The Mayor then said how on Friday morning the discussion was on finances and she took notes. They spoke of franchise fees and how to get the cell phone companies to pay their share. The new Mayor for Forney was there and attorneys for TML stated that a town lost a million dollars in a suit because they did not have enough information in their minutes to back up what was said during the meeting.

h) **Consent Agenda:**

*Items listed on the **Consent Agenda** allow the council to approval all items together without discussion or individual motions.*

- 1) Approval of minutes from the August 5th, 2021 Special Town Council Meeting. 5-0
- 2) Approval of **Ordinance No. 2021-08-02** approving a franchise agreement for electric service with Oncor; providing for a franchise fee; and providing an effective date. Council Member Jaffe motion to move to Regular agenda so questions can be asked, seconded by Council Member Anderson 5-0

i) **Regular Agenda:**

Council Member Jaffe stated he looked through the agreement and had two things. Wanted to know if anything has changed in the agreement that should be addressed. He stated he had seen this before and wanted to know what highlights have changed and what needs to be brought to the attention, and what is expected to be the income of this physical year off of this specific document, that is likely to be as to be able to figure out the budget.

**Cindy Tayem of Oncor** said she thought the attorney can tell you as to what changes were made. There were no material changes made there were things inserted like the incorporation day and that sort of

thing. The meat of the agreement stayed the same. The franchise fees are based on the kilowatt hours sold. It all depends on what kilowatt hours sold during the year. The payment you'll receive up front will be based on kilowatt hours from November through May and that is based on the factor of .003589 per kilowatt hour. From year to year, it depends on weather, for example during a hot summer you'll use a lot of electricity. You will be paid on a quarterly basis, so you don't have to wait a year to see a check.

Council Member Vinson asked, from the winter we had this year, you mean that since it was unusual, we probably won't see another check like that. Her answer was compared to another winter, yes.

Mayor, so the one-time November to May will be \$10,895.76. The town is still working on FEC a lot of residents are on FEC. They are waiting on legal documents for that. The assistant attorney and their attorney were back and forth on this.

Council Member Anderson moved to accept the agreement seconded by Council Member White 5-0.

- 1) Discuss and consider the bid in from American National Bank of Terrell (ANBTX), as the Town Bank through the notice of Request for Proposal. Each council member received one and there is one for the town citizens. Council Member Anderson motion to accept the bid from ANBTX, seconded by Council Member White 5-0  
Citizen: Kenz' - passed  
Citizen: Mandi West - passed
  
- 2) Resolution 2021-08R1 - approving the National Incident Management System (NIMS) this requires all council member attend so the town will eligible for grants. Council Member Vinson was reading from the document, "be it further resolved that Tara Senkevech, hereby designated as point of contact. Should that be by name or by title? Would it be the Mayor are the you specificity? The attorney asked what he meant, he said who should be the local point of contact be an individual or should it be an office? The Kaufman Co office sent it over like that, and the attorney said that it is fine to list her, because when there is a new Mayor it usually just lists the Mayor by name. Then he asked the attorney what the difference is between an ordinance and a resolution? The attorney said an ordinance is approving or making a law, and some statutes actually wants you to approve things by ordinance or resolution. A resolution is generally an approval of a policy. And in local agreements the other party requires a resolution, it's an easier way of keeping tract if you have resolutions.  
**Citizen Kinsey Salisbury** – passed  
Council Member Jaffe wanted to know if the course was online or if there was traveling involved and asked if anyone had that detail.

The Mayor said, thankfully we have a council member that is a fireman that can answer that question. Council Member Fowler said it's a long process that you'll have to sign on to get your hours. He wasn't for sure which courses would have to be taken because there are seven courses. The Mayor thought four was the requirement. This is a free course and no travel is involved.

Council Member Anderson motion to accept Resolution 2021-08R1  
Council Member Vinson seconded. 5-0

- 3) Discuss and consider making the Poetry Post the official Town Newsletter

Council Member Fowler – said he texted the council a while back and asked if this is an official communication piece for the city, in my mind we've set up here and endorsed this as a city as a communication piece, even though we haven't voted on it. The only response I've gotten was from Tara saying we've implied it. Then if we've implied it than the implications from government are different from the implications from citizens. So, with that being said, I kind of take offense to this posting with a questionnaire, the fact that our citizen committee has already done their due diligence their ten (10) hours of research given their reports to council and now we're going back out as a city and asking for more questionnaires. One thing that he takes political offense to he said that this is fear mongering. The definition of fear mongering is the action of deliberately arousing public alarm about a particular issue. He found that right after number six, it says, remember if we'd been annexed by Terrell or Royce City and discusses of our property taxes being increased, but we weren't. This was an effective attempt from when we were trying to become a city, but this is no longer an issue, and he takes an offense to that.

The Mayor said that there are still people that do not even know that they have incorporated. Council Member Fowler responded, but, we're not, Terrell cannot annex us anymore. We went Type A city for a reason so, this doesn't need to be in here. This is blatant attempt to fear monger and scare everybody and we need to do something about this. The second thing I find offense with is the very top of that first page is a continuation of the first column asking people to research and send their information to poetrytexas.org. He hasn't received anything in his packet and so he doesn't know if you've received any email from that but, in his mind again this is a solicitation or recruitment to rallying the troops against those (myself) who's spoke out against the solid waste report that was given. On the back page is a couple of pictures of weigh limit signs, these are not new signs, I've lived out here for 25 years and these signs have been on that road. The road

that these pictures were taken on were CR 249 which is Kaufman County, then it turns to CR 2458 which is Hunt County, is where he spent the first decade of his life in this city. These are not new roads. Said he spoke to the sheriff of Hunt County and the Constable and was told that this has become a superhighway and the people were just flying over it. Then he asked them if they could take a look at this and they said that it would be no problem. What has made this a problem is the state highway that was put in on old League Line it has opened up everything east of our town and made it a throughfare. Now we're responsible for these roads and we are going to have to decide how we are going to go about that. Tara has had some good meetings with that with Kaufman County Road commissioner and I hope that we can get that done. But these weight limit signs, he spoke to dump truck drivers he has a small business, and he utilizes these guys and asked them to get sand from the Terrell sand pits and they said no way they are not going there. He told them they could travel that road if they are doing business within these city limits, and he needs the dirt. The response was he knew he could go down that road because every time he goes down there the county pulls him over and he gets inspected for something else. In his mind this is another fear tactic these heavy trucks are tearing up that road. That road is being tore up by increased pedestrian traffic.

Mayor said that was not what the sheriff said to her.

Council Member Fowler can tell you from being a resident of 2466 for 12 years that we didn't have that traffic then. They opened up this state highway they just opened up a throughfare.

Mayor said, When I saw the sheriff meet Randy Strait on that road, there's 249 and 2458. He said, did you know TxDOT told us in a meeting that he just attended, one semi-truck is equivalent to 10,000 vehicles. The facts are the facts, you may not like them, I don't like them but TxDOT said that one semi-truck has the weight of 80,000 pounds. We have a lot of truck traffic on that road and that is why it is in such bad shape.[\*Correction: 80,000 lb. semi-truck is equivalent in damage to 10,000 cars]

Council Member White agrees with Terry on much of this as if we should take this on as a town at least from his understands right now because people do view it that way. He just wants to know the cost right now last time he remembered it was \$200.00 a month, is that still the case?

Mayor \$182.00 – a month and they give it at cost, the ink and the paper are \$182.00 roughly for 1,025 copies each month plus they fold and submit those to Poetry Water Supply Corp. additionally 20 to 25 are sent out in the regular mail with a stamp. This has been going on

for nine months and the only council member that has helped edit is Council Member Vinson and I am very grateful for him for that. This one newsletter was to cause people to think. I apologize if people saw that differently. In nine months, there hasn't been any negative feedback but this one was actually edited more than most. It had six different eyes on it, she knows people see things differently.

Council Member Fowler in nine months we haven't had anything contentious put in this letter. We haven't undermined council's review of the solid waste committee once I spoke up about it. Number four is undermining of City Council – should the council vote with the citizens volunteer committee? I think everybody up here has their own opinion on which way they want to go with this and to him this is nothing but undermining to get city support to say ok you council members that don't support this you're not right you're wrong. To his this is hap hazard and reckless government.

Council Member White to be on the same page because he thinks he's right there with him, what Council Member Fowler wants is there to be accountability over this right here and to figure out a way to make sure there is a way to make sure it isn't just willy nilly. Then his asked Council Member Fowler if he had a specific suggestion, because normally this would fall under the secretary or the Mayor's department of course it would be run under us the council. Do you have any suggestions for that or thought?

Council Member Fowler said the first suggestion is that we endorse what our commination efforts are in this town. City website that's an official, letters published on city buildings, anything printed in papers. We voted on all that stuff. We've implied that this is our communication piece. I haven't taken offense to anything else because it is a very informative piece of paper that we can get to a lot of citizens. I take offense to this when I sounds like others see it as we didn't get the results, we wanted from our citizens committee so let's go out and beat the streets again and see how we can beat the opposition.

Mayor stated they haven't voted on it so why not solicit from the citizens.

Council Member Fowler why didn't the solid waste committee do that. Mayor we have not voted on that this is still an issue.

Council Member Fowler why didn't the solid waste committee solicit the citizens?

Mayor they don't have the quorum to do that. A questionnaire is meant to solicit responses from the citizens. Why can't we have citizens be informed and have questions asked of them.

Council Member Fowler, I want to have every citizen informed.

Mayor we are trying.

Council Member Fowler why didn't the citizens committee do that? They could have put that stuff out on Next Door they could have asked you to put something on the City Website, say hey we want to do a survey monkey – we weren't thinking outside the box.

Mayor we put that out there and you griped about that. Terry, you can't have it both ways.

Council Member Jaffe to Simeon to answer your question he thinks to restate what Terry said he thought this would be a great idea if this were to be the official communication for the Town of Poetry that the council or have someone sort of have edit privilege or at least early review so they can see what's coming out so they can say hey we agree or disagree. One of the struggles he had when he ran for council because he's not a Politician, because everything is new to me. Is I have to put a statement on every document as a candidate I put out was telling people I approve that information or produce that information? Then I see things like this newsletter, and I see things like this information with this trash truck. My first question is where did this come from, and who produced this and why is this information being wanted. When I look at the Poetry Post and raised the issue it occurs to me that there is nothing on here that says it is or is not the official paper of Poetry. I'm guessing that when you Tara went to the water department, they said they would like to help the Town of Poetry. So, I think it behooves us to make this the official Poetry Paper but not electronic, but we need to put on here that this is approved by the council so that people know where they are getting their information. Mayor said that she would actually like to have some help, so that would be awesome. The she asked the attorney if she knew if it would be okay to send the newsletter to the council with open meetings acts rules she didn't know if it would be possible.

Attorney in order for it to be an actual letter of the council y'all would have to vote on it in an open public meeting. What you should probably do is have a gate keeper that folks can submit articles to and they can put that together. That means you're going to have to be ahead of the game and you're going to have to approve it at the meeting. Most cities don't have newsletters but they did when they were smaller. The city clerk or the city secretary was doing it, sometimes the Mayor was doing it when they had no staff, which is where we're at here and it was the council would submit articles and those would get put into the paper. If you're going to have something that is a publication of the actual Town Council then you have to vote on it because you could have a meetings volitation if you're circulating that amongst yourselves and then producing this document and sending it out.

Council Member Anderson stated that what your saying is we could basically have this a month late so we could vote on it in a regular meeting coming up and get three out of five people to agree to it and if there is any editing, we could do it then in the future?

Council Member Fowler if it's strictly informative we don't have to have a meeting. We're just telling the citizens what's going on in the town we don't have to do this. It's just that when we go to ask citizens of the town.

Mayor was told to have a questionnaire because people wanted to give their input.

Council Member Fowler demanded to know who asked for the questionnaire? Did the council ask for it? Council ask, for it?

Mayor stated that in the past meetings the council did ask

Council Member Fowler stated that maybe they should have postponed the solid waste commission report until all the information was gathered. That sounds like a diligent being do diligent like all government should be done. All information all up front here's what we got y'all take a look at it.

Mayor – this newsletter, is a rapid kind of things there are deadlines it has to be printed it has to go to the printers the last week of the month. If there are any pictures to be put in it. They have to be brought in before the last week of the month. There is a definitely a timeline to it.

Council Member White believes there's a way to do it even more than what Council Member Fowler was saying there needs to be more than just one person in charge until there are rules put in place there needs to be another set of eyes on this each time. He does really believe that there needs to be accountability on this. We need to have this the secretary which just makes since and we should have one appointed council member to confirm that all the information if fair and accurate and that person should be elected perhaps yearly just like the Mayor pro term just to have the accountability just even more. And believes the Town should take this on immediately. It's not alright to make other people pay for it or that it could be confusing people so

Council Member White proposes the use the post as a town and have the secretary be in charge of it have one council member approve it and be elected by the council.

Council Member Vinson what we're signing up for is to make sure the town has six-week-old information, we have to write it, then approve it than it has to two weeks later be put into the mailers. Myself, I say we ditch it as an official publication. That's a lot of work for something that's not going to current at the time. We have a technological salutation that we can start using again we will have to have rules

around that. But, to spend \$200.00 a month to send out month and half old information and doesn't agree it's worth their time.

Council Member White agrees with that assessment thinks we only need one council member proofing this. If we bring this in front of the council for every single one and we put it on the consent agenda. Yeah, the information is too old for it to be useful. We won't be able to tell people when a meeting is coming up, we need to keep us the actual people informed.

Mayor to the attorney, is it possible to send it to two council members? She had been sending it to one. Approving for format editing and content, if sending it to two is it feasible?

**Citizen Kenz' Salisbury** we would like the Poetry Post be reviewed and signed off by all council members a day before released this ensures that all follow up questions regarding the business that might have been addressed by all members of council. She would also like to ask that when the agenda is released to have the reports that are going to be discussed also be released with that agenda. If you're not going to do the newsletter the right way, then there's no point in doing it at all and making sure you take that time and do it properly is what's going to make the difference it so there's no miscommunication or misunderstanding with the citizens.

**Citizen Chad West** he agrees with Kenz' it looks like the newsletter appears to be a unilateral platform for individual needs under the guise of the council. It's not voted on by the council, if it's going to be an official mechanism to educate the city for the Town of Poetry it needs to be official but, it needs to be voted on by the council. You can't have one or two members because that's one- or two-members idea's it's not the ideas of the council.

**Citizen Mandy West** – passed

Mayor the problem here is if they vote on it, it's now six-week-old information. The point of it is to get out current information for those that are low tech. Not everyone has internet, not everyone can go to the website not everyone has high speed internet at their home, so the idea was to communicate. Out of nine newsletters if one stirred some feathers then maybe we can correct that and do better and move on. We have accountability with one council member if we had another one maybe on the opposite side of issues to make it more fair. What I do know is that making everyone sign off on it at council is just not practical. We have to have a meeting on that then it's just old news.

Council Member Jaffe said he'd just pitch in and say Tara it's just more than just this one. He knows that he's been both'd by having spoke up in the past about the pushing of the Campground Church as a city hall he doesn't agree with that and doesn't support it and yet just about

every newsletter there is an update on what we're doing to preserve that building for our city hall. He's not against preserving the building but doesn't think that it's a forgone conclusion that its going to be our city hall. His concern, that he thinks it's being used for one person's view of what's going on. He thinks that people read it and believe that it's the desire of the council and it's not. So, he thinks that they need to show people diversity and opinion and just show it as informational so there's no bias one way or the other.

Council Member Fowler said with the lack of funds are we able to continue with the Poetry Post until we get our feet out from under us? With this letter strictly informative for one – I wouldn't have taken offense to fear mongering and haphazardness because we would strictly be saying what's going on in this town a road report or, if we wanted to post our city minutes or whatever we want to do if its informative. The question is do we want to continue this right now or look at it later because of lack of funds because I'm not all for you to continue to pay for this but, until we get our feet under us maybe we just wait a little bit on these guys, and they can find everything on the digital platform that Brian's talking about.

Council Member Vinson agrees with that if we're going to have it approved by the council then, that means the information is going to be coming to a meeting, be shared, then approved then written down then seen by the citizens two weeks later. He doesn't see spending taxpayer money to do that.

Council Member White also agrees with that, if we can't come to an agreement to get this approved without having to do a meeting it really isn't worth our money. Like I said, if we can find a way to inform the people that don't have the internet cause that's a lot of people out here. I went and canvased, and I got to say I ran into a lot of people that just don't have the internet, they just can't get it out here and I just want to keep them informed too. I want to be there as a town for those people and it's worth \$2400 a year to make sure those people know what's up as long as we do it right. I want to make this happen eventually even if it's not immediate. I'd like that to be on everybody's mind if we can, make sure we are watching out for the people here. We're probably not properly represented, because those people are less informed, and probably know less about when the meetings are happening than some of us that are gathered here.

The Mayor then suggested that Council Member Fowler and Council Member Vinson be the go-to on the newsletter?

Council Member Fowler said " I decline", Thanks.

The Mayor then asked if there was another volunteer.

Council Member Anderson said he'd do that.

Council Member Vinson asked if we could be clear as to what they were talking about. Are we talking about the information that is coming through for Tom and myself and then going into the newsletter or it's going to a meeting to be voted on?

The Mayor said yes to the first question and then no. The proposal is that we need to communicate in real time not six weeks late. Because a lot of people depend on it. She hears all the time how people appreciate getting the newsletter, telling them when the town hall meeting is. We've had several tell me about that. If we're going to have it in real time then we send it to two council members for approval and we will try to refrain from any thing that is controversial then I think we can move forward. We've had nine months of newsletters and this is the first time I have had any negative feedback.

Council Member Jaffe the other issue brought up was the funding of this so Tara, am I to understand that this is going to come out of services and supplies? Part of the budget that's \$2,300.00 a year and then you produce it.

Mayor said it could be under paper. It's in the budget.

Council Member White made a proposal that they take on the Poetry Post as an official newspaper with Councilman Vinson and Council Anderson as approvals written by the town secretary and future councils and future dates and those two members will be voted on by the council.

The Mayor corrected Council Member White; we don't have a secretary at the moment so CM said that is correct. While we don't have a secretary at the moment for the responsibilities of the secretary that will fall to you, hopefully not for very long. Just like the other responsibilities. I assume we can put that in as secretary's so we can move forward with that in the future and not this resolution.

Attorney said that he could and to say newsletter instead newspaper.

Seconded by Council Member Anderson 3-1-1

- 4) Discuss and consider and interlocal agreement with Kaufman County.  
1:01:36

Mayor and CM Tom Anderson met with Arron Conway, Pct 3 and District Attorney Deborah Bonner a contract was submitted to the Mayor and council member and in turn sent it to the Town's attorney. Kaufman County will come to the table with labor and equipment and the Town of Poetry will furnish the materials cost. Different Mayors have told them that if the materials are purchased by Kaufman County that there would be an upcharge, so the Mayor's using the materials company and paying them directly for the materials. The Mayor stated

that she believes we should go direct to Texas Bit for materials cost to get the best price.

**Citizen Kinsey Salisbury** stated that the town level was picked in mind that it has a platform of a strong council and a weak Mayor, request that a council member is added with the Mayor to execute and authorize any interlocal agreements with Kaufman Council, these local agreements will directly affect the budgets of the town and any issues regarding the roads. Given just the Mayors ability to authorize a loan would be leaving to much responsibility and flexibility on one person. Mayor agreed with that, she want's accountability.

Council Member Fowler said let's look back at what we approved. [**\*Note that having two citizens was not actually voted on June 29<sup>th</sup> meeting, but only to have the attorney, Mayor and CM Anderson. CM Fowler mentioned the citizens requirement, but it was not voted on**]

We approved you two and two citizens members to be on that committee. Who are those citizens committee members? I told you two guys to call, I told you Chad West and he answered his phone, and you talked to him. We gave you Marty's number who's in the paving business and you called him. Where's our city representation? Where's our citizens?

Council Member Anderson replied, I called Chad and we discussed this and his opinion was he'd be more valuable in business side. I called Marty left messages twice and never got a reply,

Council Member Fowler said that's fine but we voted on two citizens members to be on this committee. We can go back and look at the meetings guys.

Council Member Anderson stated, he'd have to go back and look because he didn't remember.

Council Member Fowler stated every committee we've done involved citizens and this is no different. We asked for two citizen committee members.

Council Member Anderson said that he and Chad talked and had a long discussion. He said he's not a road expert he said he wanted to get involved in contracts and budgets, and that's what we talked about.

Council Member Fowler stated and I told you Tom, maybe in private. We don't have road experts in the city. But we do have a lawyer a law degree. Who can review contracts, and that's pretty important? And Marty who is the road expert in this town. We don't have to have a road expert to be on the citizen committee.

Council Member Vinson just for clarity we do have a road expert in town but I don't think he's volunteered to work with us. He used to be the supervisor for roads in Kaufman County.

Council Member Fowler stated but we did seek for two citizens and we voted.

Council Member Anderson replied, yes, I did Terry and I just described what the discussion was and one never did call back. Period.

Mayor said that they did have a very positive meeting. We can have another meeting and it wasn't that complicated.

Council Member Vinson asked for clarity, are you saying is that you'd like the citizens to be at those meetings.

Council Member Fowler stated absolutely. We asked for these citizens to give their opinions and we have people that are willing to serve on this committee. I'm not saying you didn't call them, Tom. He's standing in the back room saying he's willing to help. I just gave you two names of people that are willing to do it. If y'all didn't seek other people to fill these empty spots. I don't know how we can discuss any of these without getting the citizens input on it.

Mayor stated that if the citizens decline then Patricia Adams (attorney) if a citizen declines to attend it's like an absence.

Yelling from the back of the room. I never declined, Chad West stated he got one phone call and explained his background was and said that he'd be able to help on the business side of it, that's what I knew. And then the rest was not audible.

Council Member Vinson asked him to come forward to repeat what he said because most people heard it could you use a microphone? To come forward so that it is recorded for those watching at home please.

Mayor he is scheduled to talk so, let's just make that his talk.

**Citizen Chad West** stated for those that didn't hear. Yes, Tom and I did speak. My business and background, I have a degree in accounting and a law degree. And was willing to offer any opportunity I had to help the town. We had an initial discussion and I explained that. I gave him some of my initial thoughts. My initial thoughts are where's the money we've already spent in Kaufman County? Where's that going? And never heard anything back. In regards the issue I wanted to talk is our Mayor is problematic with the way the language is. The council is supposed to look at this contract and any changes would have to come back to the council. The Mayor only signs off of what the council approves and agrees to.

The Mayor stated a couple of times that she did not write the contract. When he finished, she informed him that this is the very first contract.

**Chad West**, said he understood, then stated we have a slippery slope from a standpoint here if we are going to allow the Mayor to negotiate because that's not the way our government is structured.

Mayor tried to reassure the citizens she did not write the contract, that it was written by Deborah Bonner. To clarify, she did not write it, it was from the District Attorney and she welcomes accountability. She does not want to be the only signature on it.

Council Member Fowler asked so how do we move forward? Because the agreement that y'all worked out, now I want to applaud y'all. I wished he was still here so I can thank him for his efforts to help this

city, it's great. But can this be an ILA after we passed a motion to have city members on it to speak up? Can this even happen Patricia Adams?

Attorney Patricia Adams is a little confused as to what the main concern was.

Council Member Fowler stated his main concern was, we passed to have a road committee, Tara and Anderson with two citizen volunteers. Those citizen volunteers weren't at any of those meetings. We have an ILA, but we have broken what the motion was passed was to have a citizen representation so, is this a fair ordinance to even consider without that representation from the citizens?

Attorney Patricia Adams, ok so a couple of things. You voted to have two persons on the council and two citizens to participate in that process? So, if there's a process that didn't occur than that doesn't really affect what you have got here, as far as voting on it. If you like the agreement and you want to vote on it than you can vote on it. I don't know, but, if you have citizens involved in this as far as the road and the interlocal it would go further than meeting the agreement. That what she thought it wasn't just for the agreement it was for a since of input as far as these roads. As far as the Mayor's signature, that is the only one needed because that is just how it gets done. The same way as the county just has one signature. But, interlocal agreements can not be valid unless they are approved by the government body. So, just because there's only one signature, don't be concerned by that, because it still requires council approval for the Mayor to be authorized to sign. Often times entities will want a resolution because that will show a resolution of the council. Other than that, if you don't do a resolution, you typically there will be a line when you do get a city secretary it's going to say Attest and when they attest to that they are attesting the Mayor signed it. It's gone through the process and approved by the council. There are some things there that will help with those questions.

Council Member Anderson said to Terry this is a two-step process. One as he understands it's a general legal agreement that is effective abilities and other features but it doesn't specify on any individual pot hole or road That's the second step. We approve this and then when we have specific jobs to do than that has to negotiated on its own. This only gives us the authority and gives Kaufman County the authority, and by the way we've also talked to Hunt County about the same thing. There's a general agreement and then there's separate agreement which will come in on individual jobs.

Council Member Fowler he didn't argue with that. It was led off by Tara telling them of the agreement that y'all have discussed. The agreement that they would provide the equipment & manpower & we buy the material. That was how the conversation ensued. He doesn't have a problem with this. His problem is with the process, he pointed out once

they were hap-hazard & reckless and we need to pull the reins back on this council and make sure we are doing the processes correctly.

Council Member Anderson your speaking of the individual projects that will be a discussion on its own. Not this. This is only a general one.

Council Member Jaffe didn't feel it was the arrangement and who's going to pay for what and who's going to provide what. Then he made the motion to table this and to reach back out to Chad and Marty. Whom he spoke to and was awaiting to get a call back due to miscommunication. Wants to get their feedback as originally intended to go on to the next meeting.

Mayor asked him if he wanted to wait another month for folks to repair the roads.

Council Member Fowler seconded the motion 3-2

**Citizen Lon Akin** wanted to know what would happen when they go to clean out a road ditch and there's no material involved in it, who will be paying for that? Is the county going to do it?

Mayor said the county was going to do it. This was a discussion brought up with Hunt County and they are willing to do it. Was unsure about Kaufman County.

**Citizen Lon Akin** didn't have a copy of the contract and so he couldn't make a decision on it. Believed that he should be given a packet beforehand. The Mayor explained there wasn't a city secretary and wasn't able to supply 70 copies to everyone, and said there were three copies floating around in the audience. Is upset that the people are not the ones running the town it's just a few people that are running the town.

Council Member White clarified that the motion has been tabled for now, and that no one's going to be picking up the trees and rubbish right now. It did not pass and will not be going forward to clarify.

Council Member Jaffe stated its fear mongering that they figure things out after they voted on it. He thinks everyone needs to understand to do the research first. He'd get the tree out of the ditch.

Mayor explained that the residents are continuing to complain about their roads.

Council Member White just wanted to keep Mr. Akin informed wasn't intending to fearmonger and apologized if it looked like that.

Council Member Fowler asked if anyone has heard of bureaucratic red tape, it keeps the government at bay to make sure they are doing it right. He will continue to fill potholes and continue to help. He purchased 3 loads of rock for 2430.

**Citizen Mandy West** didn't have anything to say about the roads.

**Citizen Kevin Senkevech** just a quick comment. If there was an interlocal agreement with Kaufman County, there would have to be some earnest monies put up front to show that the Town of Poetry would be able to handle its part of the roads. And we have no money to do that with. Thanked Terry for getting out there and throwing rock

on the road and continued to ask for volunteers to help with the roads. But it seemed like every time the town was getting some kind of money it has been squashed. The county is looking into us putting some money into an account to show the county that we will have money to do this. He believes that Hunt County will spot some money, if you come up with a little bit of money and pay us back in the future. I'm asking the council to figure out a way to put some money in the bank account.

Council Member Vinson wanted to thank Oncor for getting them over the hump.

- 5) Discuss and consider an Interlocal Agreement with Kaufman County granting Kaufman County platting and permitting authority in the Town's ETJ.

Mayor was surprised to see they gave platting a permitting authority in the roads contract. This has been seen by Attorney Patricia Adams.

Council Member White motions to table this discussion as well to stay consistent with the council to the next meeting. Seconded by Council Member Vinson 5-0

Council Member Vinson asked for a break.

Council Member Fowler wanted to know where they should bring in a discussion on this? Before we make a vote on it?

Attorney Patricia Adams said generally there is a council discussion on it then you hear from the public. You can make a motion but usually wait to vote. In case something changes your mind.

**Citizen Kenz' Salisbury**, wants a councilmember with the Mayor in any interlocal agreement with Kaufman County.

Council Member Vinson made the statement again. The Mayor is just the one that signs it. The agreement comes from the council.

**Citizen Chad West** said that we have a citizens committee to look at zoning and believes that it should go to that committee before it goes to council. So that they can look at how that is going to work in their plan for the Town of Poetry, what he thought that is what they were tasked to do. Not sure why it was on here now and not the committee. Mayor wasn't even sure why they put that in the contract.

**Citizen Lon Akin**, he wants to know why they even need that. Why can't they just leave it like it is. Why do we need to take on the counties business, the county's been doing it all these years? Why do we need to get involved in it? Again, nobody knows what going on in the committee. The council knows what's going on but the citizens don't.

**Citizen Mandi West** passed.

Council Member Jaffe wanted to know if this could go to the planning and zoning commission before any votes go on this.

Mayor said two council members are on that committee and they can present it to the committee easily.

Mayor brought up the motion to recess and it was seconded by Council Member Jaffe and 5-0

- 6) Discuss and take action on an alternative proposal regarding nonexclusive solid waste franchise agreements with CRS, Reed, and Ameri-Tex. (1:34:29)

**Citizen Debbie Emard** said there has been some talk about franchise tax that we needed one service verses three. No matter if we have one or three, we may get more money. Concerning the roads, if we choose one service or all the services or if you choose two or three services. There are a lot of homes in the ETJ and homes past the ETJ and those people are still going to have their own choice. We're still going to have all those trucks. She took her road CR 2432 they have 20 houses in the ETJ and 27 houses at the end of their road. They are not Poetry or ETJ and they all have their own trash service. So, we can't stop multiple trucks it would be nice to cut down or maybe offer those people a good deal to join forces with us would be great. She would like to ask the council to choose two to three local services. In the past we have always supported local businesses and it's always been promoted and encouraged for 27 years I've heard support your local business. Each would provide their own franchise tax and some could provide dumpster service. Maybe one can do all the dumpster service.

**Citizen Sherry Vinson** my husband & I have always supported local businesses. We consider that to be very important. Her concern is that if there was a solution that was expected why did we not give the volunteer committee those parameters to work within instead of embarrassing Ivy Campbell when she presented what she found? She's also concerned of how volunteers have been treated in general. Her request is that they show respect to each other.

**Citizen Judy Graham** she just wanted to be brief. She's a CRS customer they switched from Progressive about 3 years ago. Never had a problem with them. Supports whatever the council decides on this project.

**Citizen Jim Cook** thinks that a decision needs to be made. We need to get something going. We need to make a decision.

**Citizen Cindy Lapdee** for 34 years as a property owner believes that they should be the ones that chooses the trash service since they pay the bill. There are several good companies out there she's with AWT and is a family-owned company. Feels it should be their choice.

**Citizen Amy Fowler** is sad that the place that has given her peace is filled with hatefulness. She is sad that a single person is influencing people at their all cost without any consideration of the other businesses. We are not a city we are a community and she thought the plan was to protect us from the city. Wants the community to choose who picks up their trash and including a franchise fee. I want to

continue to supporting the small businesses of Poetry. Council, please listen to the people of Poetry.

Mayor : This alternate plan is a way to help the small businesses among us it's an olive branch. Every Mayor she spoke to (at TML) said go with an exclusive contract, but she didn't have a piece about that. She instead chose to support several small businesses. When she says let's go with an alternate plan, go with CRS and Reed, they have been in our town for years. CRS has 22% and Reed has 9% of their business in the town of Poetry. The other business only has one to four percent of their businesses in the Town of Poetry. I supported the citizens committee after they did their research and chose Ameri-Tex because of their great business plan. She's not beholding to the businesses outside of Poetry but to the citizens and the roads of Poetry. If you have a buddy that has a business outside of Poetry and you want to support that buddy, what were you elected to do first?

Council Member Fowler wanted to know when they were first approached.

Mayor stated sometime before June 8<sup>th</sup>.

**Citizen Kenz' Salisbury** based on the reports by the trash committee CRS has 180, Reed has 120, Titan has 250, Blackjack has 50 that's 600 of the current 690 homes. Ameri-Tex has Zero current homes. If the council picks the top three that would be CRS, Reed & Titan not Ameri-Tex. The current providers will continue to serve their home in the ETJ. The citizens should be able to pick the service they want not one the council picks for them.

**Citizen Pat Bellinger** has been in Poetry for 17 years has used 3 different trash services. We live on a dead-end road and the one company that would come down our road refuses to come down our road. There are several dead-end roads in Poetry with no place to turn around. CRS services us now. Their friendly, respectable, but every time they run over the cans, we have to pay \$25 for replacements. Four of the six of y'all are entrepreneurs with family-owned businesses. You hire your family. CRS, Blackjack other companies that are family run. You want us to support you yet, these small family-owned business will lose out to a large company that is 1.5 hours away.

**Citizen Richard Bellinger** passed

**Citizen Lon Akin** you get one outfit in here and you make a deal with them and it will change. What you need to do is stay with the local people. Let private enterprise set the price, you'll get the best price in the long run, there may be 10 or 12 out here now, but they will go away, because of private enterprise.

**Citizen Chad West** it's pretty clear the citizens of Poetry have sent the message they don't want to be told what to do. Doesn't understand why this we keep going down this path to limit them. First, it's Ameri-Tex which he doesn't understand, now we have three. Wants to charge them \$100.00 permit fee for anyone that does business in this area

and have them do a contract and do a franchise fee. Spend more time lobbying for Ameri-Tex than anyone. They will be adding trucks to our road.

**Citizen Kevin Senkevech** if it was up to him, he'd go with one vendor. He compared prices with stores and ended up shopping at Wal-Mart because of the cost. These trucks do tear up the roads, you can see where they start and stop. Then we will have to eventually fill up the hole. Personally, I'm all for exclusivity and Ameri-Tex actually gave us the best deal. Tara, our Mayor was not, she wanted to use local vendors even though they are not in Poetry. Tara is the one that will take the plastic and clean it up, he goes behind her and throws it in the trash, because there is no recycle program. They have recycling the offer was going from 12 trucks to 1 truck. They offered scholarships to one young man and one young woman, to this town every single year, and the best is they were doing it for \$20.

**Citizen Mandy West** wants to know how Ameri-Tex was even out here? Where did they come from and why?

Mayor stated that Ameri-Tex was called out and is allowed to speak.

**Ameri-Tex owner Clayton Vickers** we are a family-owned company been in East Texas for 20 years. Started out small and worked his way up. Is not a large company. A member of our team lives in Quinlan, he's a salesman and he did what every salesman does. He went looking for more work. We approached Tim & Rose Smith and they told us who to talk to. Services Lone Oak and Point, and about to service Alba. We put together a package deal and submitted it to the city. We do residential garbage, industrial, roll offs. They wanted to give back to the city's so they started the scholarships, portable toilets, roll-off boxes. Because they want to give back to the city. When we came in there were 7 other companies asked to put in their best deals for the city. Each company presented a fair bid. A citizen asked him if he had a special deal and he answered no. The she asked if he's been promised customers currently CRS or Reed already have. The answer was, we haven't been promised anything. A citizen stated they the company they currently have doesn't object to amount of trash they have. Then asked him if it was going to be limited to whatever. The response was that depends on the city. Each home will be furnished with one 95 gallon can, to hold as much trash as you want. A second can will be only \$5, the color of the can is tan.

Council Member Vinson since Ameri-Tex was called out and he got to speak what about the others?

Mayor said to be fair since Ameri-Tex spoke we will allow CRS and Reed to speak. Reed is not here; the Mayor did speak to him and since he was in that accident, he's not able to be here. Then there was another citizen that asked to be clear we will only be allowed one can.

Ameri-Tex answered; look you get one can and if you have said a birthday party and a couple other bags laying out there, we will pick it

up. If we go by every week and you have an extra 3 or 4 bags laying out, we will ask you to pay for a second can. AWT allows two bags outside the receptacles, and he said that he would pick them up. Another citizen stated that even good things don't feel very good when they are forced. He said that he has spoken to a lot of people over this subject and if you are a good company then I'd probably choose you. But, then again, it's the forced that is why everyone is being turned off by it.

Ameri-Tex stated on the forced thing, and he'll refer to the attorney, but he believes the city is suppose to provide the utilities in a certain amount of time.

Council Member Fowler stated that we have to make sure trash service is provided for the citizens.

Council Member Jaffe said with point of order can we invite CRS to pitch their stuff?

**Citizen Nancy Harkreader** we live in the Four Post Addition, we love CRS we've used them for years. Moved here from Garland, we hauled our trash to Garland so we had no use for a trash service. We would like to continue to use CRS as our trash service.

**Citizen Kim Carter** moved out here from Rockwall where there was one choice for trash, they use CRS and love it. Doesn't want to use anyone else.

**Kim Kilmer owner of CRS**, when they submitted their proposal, they weren't given all this information. She said she asked how many years this pertained to how many dumpsters was needed how many how many residences? Stated there was a unique amount of 580 customers, when they submitted their proposal, it was for a one-year contract not a five-year contract. Stated she had no idea as to where Ameri-Tex came up with a five-year contract. Was not able to put in for a five-year contract, most of the companies here only put in for a one-year contract.

The Mayor then stated she was allowed to answer questions pertaining to CRS from the citizens. The first citizens asked, if you were looking at a five-year contract, would it be different than what it is currently? The answer was yes. Lower? Yes, again was the answer. Then stated the Mayor told her that an alternate proposal would be dividing the town into three companies. Then she found out that they would keep their current customers, Reed would get their current customers and the Ameri-Tex would pick up the rest. Titan Waste asked why they changed their franchise fee. She said because Ameri-Tex needed to. Then Titan Waste asked if she was able to adjust their proposal. The answer was yes. She said she assumed he was not.

Council Member Fowler stated that the council was aware of this, and he'd be going over the emails later. He said that CRS reached out to him and Titan Waste, Brian French, reached out to him. He was privy to these he asked them to send him a transcript of what they

discussed. They are the ones that will have to stand up to what they said but that is then knowledge he has of this. A citizen asked if they were given the opportunity to rebid a five-year contract would they still be able to give them the franchise fees that Ameri-Tex is offering? She doesn't think that they can do it, with the new budget. At 47,000 she could reach it with 100% of the town going with CRS. An elderly gentleman stated he had been here 47 years and raised his three boys and he has no intentions in paying for a trash service. A customer asked CRS how many trucks would it take to do 600 homes worth of trash, the answer was three of their trucks spread over two days. Currently they service in three days. They go down three different areas one road on Tuesday then another north area on Friday. They were asked if their trucks are full? The answer was yes. She wanted to know if every trash truck comes in fills the trash truck up until its full then they leave, that would be the same number of times that you'd have to run in, and do it? Another citizen stated there are 23 homes down her road, and two trash companies. Her statement is most of the residences use CRS and she is wanting to change but, also wants to wait to see what the town is going to do about the trash service before she changes. She is all for helping small businesses. That one trash services would help, the citizens all put towards the repair of their road. Her Thursday route is 30 miles just the road she travels and another truck travels further. Titan chimed in and asked if she would have set down with the town of Poetry and given a more competitive bid? Would you have been willing to set down and negotiate a franchise fee with them, like they did recently.

Mayor stated that what is on the table is an alternate proposal for Reed, CRS and Ameri-Tex is a contract for five-years at \$6.50 franchise fee. CRS said she never agreed to \$6.50.

Council Member Fowler stated that we have multiple vendors here that don't feel as though they have the same information. He said he has no way to prove it and feels that the city has taken on companies that have been mistreated.

**Citizen Lon Akin** still insist that with the economy like it is right now, there is no way that any of the business would even want to get in a five-year contract. What will happen is they will walk away from the deal; they will not be able to stay in business in five years with this kind of deal with the economy we have today.

Was scheduled to talk on this subject, was happy knowing who her suppliers are. At this point she's afraid that the town won't be able to award a contract at this point. Without a competitive situation where everyone knows what everyone else's bid is and it's clear upfront written down so that everybody is working with the same verified-able information.

**Citizen Kevin Potts**, is a customer of CRS, loves them and suggest to the council. To find out how much money you need, divide it by twelve

and let them all operate. They are still going to go up and down the roads.

Hayden Ledford from AWT is not opposed to paying a franchise fee every month. Even if you charged a 100 a month, to access the town it would weed out the companies that only have one or two customers. He's not opposed to paying a registration fee and franchise fees monthly.

Mayor stated that on the June 8<sup>th</sup> meeting all the vendors were given the same information to give their best three bids in 30 minutes that we were looking for franchise fees, we needed approximately 10 dumpsters/ roll offs and approximately 689 residences. They were all given the same information.

**Citizen Glenn Strauss** when he first heard about this proposal, he thought that it was going to limit the council was only going to pick one service and we would only choice we have. The paper in front of me say you're going to pick three. I don't see how anyone can say that won't reduce truck traffic. Do the math. That is less truck traffic in our town. Going from 8-10 to only three.

Secondly, anyone who calls out Tara and makes disparaging remarks about her is just wrong. My wife and I have known her for years. She is a good moral, no hidden agenda- Christian woman. Thank you for the abuse that you take.

**Citizen Nancy Perry** we've strayed way off of points of order for how a meeting typically runs, we've heard sales pitches we've heard complaints, we don't have an RFP. The Mayor stated it is not required for this plus it is costly to do. She then asked if the vendors have that request in writing? The answer was yes, either by email or text. With the exception of AWT they came into the store, because she didn't know about them. She wanted to know where it came from.

Mayor responded with she came up with the plan because the last meeting it was tabled and she heard from the customers that wanted their service. She also took into account at what the citizens committee wanted for the town. The best business plan was Ameri-Tex and so this was submitted by the Mayor and stated each council member is allowed to submit a plan in writing for the town and no one did. They are trying to limit the trash trucks on the roads and trying to get franchise fees to help with those roads. We are also trying to help out small businesses.

**Citizen Cheryl Brown** left

**Citizen Jack Senkevech** there are a lot of people that have their own trash service, that they like there's different companies that they like. Instead of going with one exclusive. He listed the three and stated the all offer a franchise fee to help us pay our expenses. Then he informed the council that there has been a lot of unprofessionalism he's been to several of the meetings and the council hasn't voted on anything. The council was voted in to represent the citizens and we need more

positive things from our council. We don't need negative bitter stuff. That's not what we voted for when we voted for our members. He believes that the three companies would bring in more money for the town and believes that is what needs to happen.

Council Member Fowler stated he's not opposed to the alternate plan, he said he's got them documented. 1 hour 36 minutes in the 6/15 meeting he asked Patricia Adams can we place a franchise fee on every container? The answer was, what ever you can get the folks to agree to. Then he asked her if that an ordinance sounds unreasonable like this and she said no. On 6/29 an hour and thirteen minutes into that meeting he responded to Mr. Fletcher's conversation he brought up. He asked Mr. Fletcher if he agreed that they would get the same money if they charged every can out here a franchise fee? His response was yes. That is the second time.

He gave the council and attorney copies of a group text sent out by the solid waste committee. He said the reason he had that was because he was named in it several time, but he was not involved in the text. He then proceeded to go through the pages of text stated that he blacked out all the committee members phone numbers with the exception of Tara's. He has a proposal and yet has nothing submitted to the council.

He asked the Mayor if it was true that she asked Ameri-Tex to raise their rates to give the smaller companies to compete? She explained that to go exclusive was \$20 rate to the resident at a franchise fee of \$5.50 to use the three services instead of exclusive it would go up one dollar to \$21 to the resident and the town would then get \$6.50 franchise fee. We didn't dictate that price.

Council Member Vinson stated that we do dictate that price and to some extent they can say we can't provide service, that's part of the free market as well. To the citizens he apologized because it shouldn't happen, it should be more structured.

Council Member White wants to ask if they can submit their own proposal.

Mayor then proceeded to read the proposal out and explain to why these were chosen.

Council Member Vinson likes the exclusive option but, if it came down to it, he'd prefer to allow the resident to pick the trash service they would go with.

Council Member Anderson makes a motion to vote for the alternate plan that was just read to include Ameri-Tex, CRS and Reed.

Council Member Vinson doesn't believe there is not enough discussion to be able to vote on this. He was ready to vote but has changed his mind. He doesn't feel that we haven't treated the businesses fair.

Council Member Anderson stated that they are no longer citizens they are steward's that represent the citizens and cannot vote on their

opinion they can only vote on merit. What are the best merits for the city?

Council Member Vinson his preference is exclusive and the people he uses aren't even being considered. Not based on his opinion to vote on merit he doesn't believe that they have all the information yet.

Council Member Anderson he thought the citizens committee did a very good job. They assembled the facts and the merits which is what we have to base our report on. He doesn't agree with the people picking whoever they want.

Council Member White he thinks they should consider other things and wanted to know what the difference for the town is picking these three companies as opposed to picking all of them to get the franchise. We're going to pay more for roads, it will be the same number of stops. But that's the cost of freedom sometimes.

Council Member Jaffe to add to what he said, he realizes is the ones that have the four and five axel trucks are monster trucks. They have already told us they have no interest in our business unless they get 100% with guarantees and contracts. Doesn't support this.

Mayor said we have a motion on the table with no second. Asked if they

Council Member Jaffe liked what the attorney said to pass an ordinance that says if you want to do business in our town to pick up trash in Poetry you have to be a registered vendor and pay \$6.50 franchise fees, he believes it's going to get rid of the bigger trucks because they won't mess around with it.

**Attorney Patricia Adams Adams** state law allows you to have and to charge those fees because of the franchise agreement which is allowance of for the use of your roads. So those are the fees that you are allowed to collect. She's a little concerned with hearing comments about requiring them to register with the city. If you wanted to have everybody sign a franchise agreement, everybody provide insurance, everybody provide that fee. Then that is a contract and ordinance with each one of those providers. So, it won't be other fees just that pass thru franchise fee that gets added on to the bill. It would need to be an ordinance with insurance if they damage city property or if the citizen gets hurt. Y'all are going want it if the city gets hurt or anyone gets hurt. There are other contractual requirements that we include with those franchise agreements. If that the direction y'all determine to go, then we will need to have a franchise agreement and ordinance for anyone that was going to provide service for the town.

Council Member Jaffe to be clear that's not the \$100 fee or what ever is thrown out there? For any franchise fee?

Mayor proposes that the council members come up with that ordinance.

Council Member Fowler asked what everyone felt about a workshop? It's still an open meeting, we aren't having to amend this or change

that, we come to an agreement we all like then we have one proposal we can pass.

Council Member Jaffe stated part of the problem is lack of participation. Likes the idea of a workshop.

Mayor asked the attorney how a workshop is to run. Is it like a special meeting?

**Attorney Patricia Adams** you can have a workshop before a meeting if you'd like to talk about things on the agenda or things in this case go on the next agenda. It's a regular meeting where the council has a discussion, no action is being taken, the residents aren't going to come up and give their public input. Y'all can determine how you want to structure it, do you want to have your own conversation or if you want to take any initial comments, she's heard a few this evening. The whole purpose is for this body to work together and get an idea of what your thoughts are on certain things so you know where to go. Certainly, any member can propose anything and can ask anything to put on the agenda. Y'all are so new and working together it would probably be helpful to have a workshop and talk about two or three large topics and what's y'all's thoughts are on those. That's just a suggestion.

Mayor since the motion is dead to lack of a second.

Council Member Vinson motion to move to number 7 on the agenda **(3:32:40)**

Motion to take a break by Council Member Vinson seconded Council Member Jaffe 5-0

- 7) Discuss and take action on an exclusive solid waste franchise agreement with Amer-Tex.

Council Member Vinson motion to move this to the workshop.

**Citizen Herbert Fletcher-passed**

**Citizen Candy Fletcher** had a question on using exclusive vendors verses the three vendors, if we do exclusive will we be making more revenue for our town verses the three? She heard 6.50, and 5.50 if we get 50%.

Mayor we hope to get that since we passed the budget to get that money. Doesn't know but, thinks that if they go with three, they may actually make more, because of the people in the ETJ that would be happy with other services. This depends on citizen response.

Citizen Candy Fletcher ask if the other trash services going to have the opportunity to bid at this point?

Mayor stated if we are sending it to workshop possibly. It depends on what comes from the workshop.

Citizen Candy Fletcher doesn't believe that recycling or scholarships for a small town starting out is a necessity. What do we need? We

need revenue. She would love to continue to use CRS. She thought that people would want exclusivity.

**Citizen Kenz' Salisbury** all of the discussion before all she sees is lawsuits. Poetry can not afford it it's just not possible. Ameri-Tex has no current customers. Ameri-Tex said they gave a quote on a five-year contract, while the other quoted one-year contract. Being the council and committee doesn't see how they can not go back to the other vendors and make it a fair representation. To get a one-year or a five-year on all of them. Ask the council to understand the local providers will still be coming down these roads and the ETJ. Wanted to know who would execute and process fines to vendors.

**Citizen Lon Akin** believes this should have never been brought up. When we started trying to get away from the City of Terrell there was only one problem. A road problem. Now we have a major problem, over a system that has already been worked. What we're after is money. Knows it takes money to take care of roads.

**Citizen Chad West** passed

**Citizen Mandi West** passed

**Citizen Kim Kilmer** passed

Seconded by Council Member Jaffe 5-0

- 8) Discuss and take action on Ordinance No. 2021-08-03 of the Town Council of the Town of Poetry, Texas amending Ordinance No. 2021-06-01 to update the provisions governing appointment of a Town Secretary.

Mayor stated the reason this is brought up is because no one is volunteering she asked someone else how they got a secretary, and was told to pay them. So, this is not revisited again, maybe sharing the position would lessen the work load and hours.

Council Member Vinson stated that the \$15 an hour is not stated and the council will settle the salary. Moves to pass the ordinance as written.

Council Member Jaffe wants to know if this will be a 1099 position or this position be burdened with taxes, or if could just be contract.

Mayor said it a 1099 position would be easier. She has done both.

Seconded by Council Member Anderson

**Citizens Kenz' Salisbury** wanted to know if any resumes have been submitted, then wanted to know who it went to everyone.

**Citizen Mandy West** left.

Motion and seconded 5-0.

Council Member Jaffe asked the attorney because he was concerned how things were to be distributed since there is only one email account, which is Tara's.

**Attorney Patricia Adams** stated that is the reason there will be a town secretary or an admin that person is the point person. That was if an email goes to the Mayor. The Mayor then forwards it to the town

secretary and then the secretary forwards it to the rest of you with a note on it, DO NOT REPLY ALL. Another way that can happen until you get a town secretary is it can be placed at the back of the agenda sent out as informational packet along with the agenda just a paper in an email. Just send it out like you would an agenda.

Mayor hope to have emails for the council as soon as money comes in. Emails to everyone at this moment is breaking the Open meetings act. So, it can't be done right now.

- 9) Discuss and consider any needed modifications to the FY 21-22 Town Budget.

Mayor amended the budget because town this size actually brings in more money in sales and use taxes which this money goes to the roads. After attending the TML meeting, and it was recommended that there be a rainy-day fund and suggested it be between 25 & 30%. There was nothing in the budget so, if we start with 6%. The amended budget is going around. We hope to have an overage for the road for expenditures for more than just potholes. 50,000 to 70,000 per mile to total refurbish a road not just potholes. So, if we can start with 29,000 this first year, it's a good start.

Council Member Vinson stated as far as adding a new line item for expenses. We haven't satisfied anything under revenue yet. As we've talked about all along it is required by law that we do it. And it's our best guess.

**Citizen Kenz' Salisbury** so the interlocal agreements effect the budget and is worried that the Mayor shouldn't be the only one that executes the interlocal agreements. With as little revenue as we're getting, we need to make every penny count. Need checks and balances in place, believes the interlocal agreement are a key point to the budget.

Council Member Vinson as a reminder anything has to come through the council so the Mayor can sign it.

**Citizen Lon Akin** passed

Council Member White wanted to know if they could look at the expenses for creative web services. We're paying our secretary about \$15.00 an hour and our creative web services about \$23.00 an hour, just wants a little more information as to what the goal will be this year for that \$5,500.00. with our web services?

Council Member Vinson in 1997 he paid his creative services people at that time \$45. So, \$23 is a pretty good price.

Council Member White wanted to know if they had any specific goals or if that was all maintenance?

Mayor it takes a lot to maintain a web site. To get a positive professional presence, for a town

Council Member Vinson a properly trained city secretary once we have one would help that. We either communicate with our people or we don't.

Mayor right now she is spending about 50 hours a month once there is a secretary, she can take over about 30 of those hours. She can be easily trained, there will always be a little bit of creative work that she will have to continue to do. Hoping to get a secretary to be able to do that job is why it was backed off to just 20 hours.

Council Member Jaffe to answer your question Simeon is the purpose of the web site is to service the citizens of Poetry and not the outside world. He could care less if anybody outside of Poetry is reading it. For the citizens of Poetry, it is important way of communicating and sharing things.

Mayor has gotten contacted by several people that have been on the web site. Can it be improved, maybe, the road report is on there. And have had citizen feedback.

Council Member Anderson motion to accept seconded by Council Member Vinson 5-0

- 10) Discuss and consider property tax for FY 21-22. This was sent to the attorney and was told it had to be put on the agenda with an official year FY 21-22. Mayor stated that because Mayor Craig Waskold of Union Valley said they had to make it official that they were declaring a "ZERO" property tax, I put it on the agenda to make sure we did the same. It is obviously NOT in our budget"

Council Member Vinson moved to reject property tax for FY 21-22

**Citizen Herbert Fletcher** passed

**Citizen Jim Cook** passed

**Citizen Kenz' Salisbury** passed

**Citizen Lon Akin** passed

**Citizen Chad West** passed

**Citizen Mandy West** passed

Council Member Jaffe seconded 5-0

- 11) Discuss and consider "Rules and Procedures" for Town Hall Meetings. Mayor stated that Attorney Patricia Adams said it needed to go to the agenda and the Mayor suggested that it go to a workshop. A workshop may allow us to hash it out.

Council Member Jaffe said the first one he came across was the City of Allen and he sent some out to everybody, but Tara sent out some good ones as well. He agrees with Tara on a workshop that it would be a good place to pound it out basically lays out how we are going to run our meetings. We've taken some liberties on how we do things and he's not saying they are necessarily bad ideas but they need to formalize it. So that way citizens can look forward to the council and future things happening.

**Citizen Kenz' Salisbury** passed

**Citizen Mandy West** passed

Mayor said the rules and procedure since none of us have been in this position she reached out to TML. Will Trevino is the attorney there and she said how do they do this. He gave her the paperwork that was shared with the council and he gave her guidelines. There needs to be rules of procedure.

Council Member Fowler asked if it could be the same workshop?

Council Member Fowler motion to move to a workshop seconded by Council Member Jaffe 5-0

12) Discuss and consider term lengths for all council members and Mayoral offices.

**Citizen Kenz' Salisbury** stated that Poetry was selected a type A city the Mayor is a two-term position with an option of a four-year term if voted on per the local government code Section 22.035. With it being a new town and a learning curve. She requests it stay a two-year term to be reviewed at the next term to be two-years. Also want the top two members of the council with the most votes get a four-year term to assist with any transition.

Mayor said there is a correction that she has local code there is no term limits.

**Citizen Lon Akin** his opinion is to keep these term limits as short as possible for the first 2, 3, 4, or 5 years to give the people the chance to decide who they want to vote for, it will also scatter the council out in the town.

Mayor what is fact

**Citizen Chad West** stated the bad habits we have it seems we throw things out to the public as apply those as facts when it hasn't been voted on by this council. There was information sent out to this town that said the Mayor was a four-year term. We talked about Campground Church as a town hall that hasn't been accomplished. We have to weary of things that have not been fact. If this council has not voted on it, than it's not part of it all.

**Citizen Mandi West** left

Council Member Vinson to clarify when we incorporated the town an address had to be declared as a town hall. The address is where the Campground Cemetery Church is, so based on filing of the incorporation and voting to becoming an incorporation the Campground Cemetery Church is the town hall at this point. It's not where we're holding meeting etc., just by paperwork it is.

Council Member Jaffe one of the challenges is it seems to be addressed in the Texas Government Code is the idea that the council is going to turn over every two-years 100% and for the first round discuss amongst yourselves who's going to serve two-years and then

after that everything is naturally standard. I'd like to throw that out there for the council consideration.

Council Member Vinson for fairness, whatever the change is should be voted on by this council but not taken until next council? So that means we're voting in two places or three places now. And the next vote will be four-years. When we were voted in we thought that we'd be in for two-years better or worse. Thinks they should stick with the two years and then the next term can be four-year term. That way the voters will know the terms and will be informed with that individual.

Mayor so under Section 22.035 the regular term of office, the Mayor and alderman of a municipality are elected for a term of two years unless a longer term is established under Article 11 Section 11 of the Texas Constitution.

Council Member Jaffe stated if you back up one section. It says, if the municipality isn't divided up into wards, that's us. The governing body by Ordinance may determine the number and the manner of deciding which alderman elected in the initial election which officers serve for one year and which serve for two-years. And that specifically addresses the issue of not changing out your council 100% every election. To your point Brian we would have one more election to where the entire council would theoretically change and where five other people would be here. Which it would be about four or five years into the election before it would start staggering. I believe that's why they put this in here.

Council Member Fowler stated he spoke to Will and he told him to get a final decision from Patricia Adams. If we all came to a concise and we had two volunteers that wanted to step down after one-year and that wouldn't happen. But we could draw lots by rolling dice or picking straws.

Attorney Patricia Adams typically you have someone that say's I'll do it, but then you draw lots that's typically how you do it.

Mayor as difficult as the election was, I don't wish that on our town every year or every other year. It's a difficult process and a lot of money. I guess sign companies make money, but I don't wish that on our town or the people running.

Council Member White he's also agrees about staggering, but he doesn't want to see those signs every single year. Perhaps they can find a compromise. Are there any suggestions you have Patricia Adams?

**Attorney Patricia Adams** can't come up with anything right off the top of her head. She can give it a thought but not at this late hour.

Council Member Fowler we could also increase term lengths that has to go to a vote a citizen vote and that would help stagger them.

Attorney Patricia Adams you can do that but, you're going to have to have places not geographical places then you'd have to win by majority vote. You can do three-year terms but you're still going to

need to stagger. But you'd still have everybody up at the same time. She doesn't think that you can have differences with the council folks. You can either have the entire council has three or the entire council has two.

Council Member Vinson moves to postpone consideration to another time.

Council Member Jaffe stated he has the Texas Constitution and the local government code that says Mayor is two years everybody else is two years. We're two-years not four or six. To where we'd have to go back to the ballot to change.

Seconded by Council Member Jaffe 5-0

General Public

**Citizen Kevin Senkevech** passed.

**Citizen Robert Hermann** requested to prayer before adjournment and was granted permission to do so.

Motion to adjourn Council Member Vinson seconded by Council Member Jaffe 5-0

Meeting was adjourned at 11:17 pm