



STATE OF TEXAS
COUNTIES OF KAUFMAN AND HUNT
CITY OF POETRY, TEXAS

BE IT REMEMBERED THAT ON THIS DAY OF THE 27th of March 2024 at 6:30 pm, the Town Council of Poetry, Texas, held a Special Town Council Meeting at Poetry Town Hall, 5671 County Road 323, Poetry, Texas 75160 with the following present:

Mayor Tara Senkevech
Councilmember Tom Anderson
Mayor Pro Tem Mike Jaffe

Councilmember Simeon White
Councilmember Terry Fowler
Councilmember Jonathan Blake

- A. Mayor Senkevech** called the meeting to order at 6:30 p.m. At this time the Mayor reminded the public that disruption of the meeting may be considered a criminal offense under Texas Penal Code 3813 and may be escorted out by a peace officer and issued a citation.

Section 38.13 - Hindering Proceedings By Disorderly Conduct

(a) A person commits an offense if he intentionally hinders an official proceeding by noise or violent or tumultuous behavior or disturbance

(b) A person commits an offense if he recklessly hinders an official proceeding by noise or violent or tumultuous behavior or disturbance and continues after explicit official request to desist.

(c) An offense under this section is a Class A misdemeanor.

Tex. Pen. Code § 38.13

- B. Anne Hamilton, Town Secretary**, took roll call. All council members were present. Mayor Senkevech announced the presence of a quorum.

- C.- D. Pledge of Allegiance and Invocation:** Council member Johnathon Blake led the Pledge of Allegiance and gave the invocation.

- E. Citizen Comments:** Mayor Senkevech announced the opportunity of citizens to speak on any posted agenda item, limited to three (3) minutes each, as long as they had signed up prior to the meeting either by emailing contact@poetrytexas.org or by signing up in person at the meeting location prior to the start of the meeting at 6:30 pm. She reminded all present of the Offenses Against Public Order and Decency as outlined in Texas Penal Code §§ 38.13, 42.05.

- F. Items of Community Interest:** Pursuant to Section 551.0415 of the Texas Government Code, the Town Council may report on the following items: 1) expression of thanks, congratulations, or condolences; 2) information about holiday schedules; 3) recognition of individuals; 4) reminders upcoming Town Council events; 5) about community events, and 6) announcements involving an imminent threat to public health and safety.

Mayor Senkevech:

- Spoke on the upcoming community Town Spring Cleanup on April 19th and 20th.
- Announced that the county of Kaufman has declared a state of disaster in preparation for the upcoming April 8th solar eclipse.

A. Consent Agenda:

1. **Minutes from the January 18th, 2024 meeting:** Motion to approve made by Council Member Anderson, seconded by Mayor Pro Tem Jaffe. **Motion Passes 5:0**
2. **Minutes from the February 15th, 2024 meeting:** Motion to approve spelling correction on page three made by Mayor Pro Tem Jaffe, seconded by Council Member White. **Motion Passes 5:0**
3. **Pay February Legal Bill:** Pay the legal bill for February 2024 in the amount of \$682.50. Motion to approve made by Council Member Anderson, seconded by Council Member Blake. **Motion Passes 5:0**

4. **Approve Annual TML Insurance Renewal:** Insurance renewal in the amount of \$812. Motion to approve made by Council Member Blake, seconded by Council Member White. **Motion Passes 5:0**
5. **Approve annual renewal for QuickBooks Desktop:** Seeking approval for QuickBooks renewal in the amount of \$649 which is an increase from the previous year. Mayor Senkevech said that other options will be explored due to the increase. Motion to approve made by Council Member Anderson, seconded by Council Member Blake. **Motion Passes 5:0**

B. Regular Agenda

1. **Discuss and take action on allowing Volunteer Road Team \$3000 to take care of any of the following roads; CR 247, CR 248, CR 323, CR 324, Four Post Lane, Gate Lane, Green Meadow Lane in Kaufman County portion of Poetry, not completed by Kaufman County roads department:**
 - Kaufman County failed to complete above referenced road work.
 - Mayor Senkevech is working to get our funds refunded by Kaufman County. She is working to discover where the breakdown in communication occurred. Kaufman seems to have spent all the funds on just two roads, one of which was not on the project sheet.
 - Seeking funds to complete the projected road work with town volunteers while the Mayor tries to get the funds returned.
 - Motion to approve made by Mayor Pro Tem Jaffe, seconded by Council Member Blake. **Motion Passes 5:0**
2. **Discuss changing CR road names to include names of poets and citizen responses to town survey:**
 - This was a suggestion over a year ago by a couple of town citizens. As Poetry has road signs that need to be replaced, it is an opportune time to bring this suggestion up for discussion.
 - Council Member Fowler stated that he has received numerous emails and text messages from citizens who are concerned that this would affect 911 services.
 - Other council members also were concerned about the potential 911 lag and the inconvenience to citizens to have to change all mailings, drivers' licenses, and other legal documents.
 - **Citizen Scott Lehew:** Spoke and agreed with the feelings of council, that it would cause too much chaos.
 - Decision was made to allow citizens to continue to fill out the survey and if there is enough interest in changing the street names then it would be discussed prior to purchasing new road signs.
3. **Discuss and take action on a Street Dynamics Solar-powered Speed and Communication device for Roadways to collect data desired for grant applications for roadwork according to price-sheets provided:**
 - Mayor Senkevech has confirmed that there is no video capabilities on the proposed signs.
 - The search for alternative vendors produced no vendors who could provide everything that would be provided by Street Dynamics that are local to the USA.
 - Further discussion was had on the benefits vs the cost of the signs to achieve federal road work grants and could the money for the signs be better spent on current road repairs.
 - Some concern was expressed about wanting to see a potential contract before approval. It was pointed out that since we would own the signs, there would not be a contract. The only contract there would be is if we decided to use their internet software and online data storage.
 - The Mayor discussed some conversations that she has had with towns similar to Poetry and their successes in obtaining federal money to repair and replace their roads.

- Citizen Glenn Straus: He lives right off of Poetry Road and says that it gets an enormous amount of traffic.
 - Citizen Scott LeHew: He expressed concern on the cost of the signs and would like a fair idea of the likelihood of receiving the federal grants.
 - Final decision was made to wait on the signs and gather more information and include the new Engineers in on the process.
- 4. Discuss and take action on Professional Engineering Services Agreement with Birkhoff, Hendricks & Carter, L.L.P. Hendricks Engineering with price lists:**
- Review of agreement details including liability, scope of services, rates, and invoicing terms.
 - Council approves edits to the agreement including clarifying engineer or consultant reference and adding secretary email for correspondence.
 - Motion to approve the agreement with discussed edits made by Mayor Pro Tem Jaffe, seconded by Council Member Blake. **Motion Passes 5:0**
- 5. Discuss and take action on the David Potts petition for release from the ETJ:**
- Acknowledgment of review process for accuracy and detail of documents, noting consistency in content
 - Consideration of the volume of documents and effectiveness of the review process
 - Noting similarity in document content aiding expedited review process by attorney Berman.
 - **Citizen Scott LeHew:** Glad to see that council judges ETJ Releases on legality, not based on merit.
 - Motion to approve made by Council Member Blake, seconded by Council Member Anderson. **Motion Passes 5:0**
- 6. Discuss and take action on the Ryan Scott petition for release from the ETJ:**
- Motion to approve made by Council Member Blake, seconded by Council Member Anderson. **Motion Passes 5:0**
- 7. Discuss and take action on the Darrel Scott petition for release from the ETJ:**
- Attorney has not raised any concerns, indicating tacit approval of current process.
 - Clarification on surveyor's role emphasized for accuracy assurance.
 - Acknowledgment of need for surveyor verification to prevent errors or encroachments on neighboring properties.
 - **Citizen Dale Bryant:** Clarifies that limited data from the Town is the reason that "Less and Accept" is a valid form of a survey.
 - Motion to approve made by Council Member Blake, seconded by Council Member Anderson. **Motion Passes 5:0**
- 8. Discuss and take action on modifying the fee for petition for release from ETJ with single and multiple applications, with new information, and consider adjusting previous payments. [CM White and CM Blake].**
- Council discussed the fees and costs associated with processing petitions for release from the ETJ (Extraterritorial Jurisdiction).
 - Concerns raised about the actual costs incurred, including surveyor fees, legal review, administrative tasks, etc. Desire to better understand the true expenses before adjusting the current \$125 fee.
 - Agreement to have a couple council members meet with the engineering/surveying firm to get a better understanding of their process and associated costs.
 - Interim decision to maintain the \$125 fee for now, until more information can be gathered, and a more informed decision can be made on appropriate fee structure going forward.
 - Acknowledgement of need to be mindful of potential burden on citizens, especially those with limited incomes, when considering fee increases.

- A motion to wait on this item until there is a chance to discuss with the surveyor and added back to the agenda in April was made by Mayor Pro Tem Jaffe, seconded by Council Member Anderson. **Motion Passes 5:0**
- Council further discussed the logistics around processing the numerous ETJ release petitions, including:
 - Desire to avoid printing massive 300+ page meeting packets because of petitions.
 - Potential to use a consent agenda approach, where petitions deemed acceptable by 2 council members could be approved in a single vote.
 - Agreed that the current \$125 fee per petition would remain in place for now, until more information is gathered on the actual costs involved.
 - Acknowledged the possibility of adding a per-survey fee in the future, once the surveyor's process and associated costs are better understood.
 - Decision to have 2 council members (CM Anderson and CM Fowler) work with the engineering/surveying firm to gain a clearer understanding of their review process and costs.
 - Discussed logistics around handling the growing volume of petitions, including potential use of consent agenda approach to streamline approvals.
 - Emphasized need for transparency and visibility on all pending petitions, potentially through a shared digital file accessible to council. Cm are receiving the petitions as they come in via email.

9. Discuss and take action on moving May regular meeting of May 16th to May 30th, 2024:

- Mayor Senkevech will be out of town during the regularly scheduled meeting in May and requests that it be moved to the end of the month on May 30th, 2024.
- A motion was made by Council Member Blake, seconded by Council Member White.

Motion Passes 5:0

10. Discuss and take action on opening 2nd Annual Poetry Agricultural Scholarship application season beginning April 1st to May 31st 2024 with presentation/s in June:

- Discussion and action on opening the 2nd annual Poetry Agriculture Scholarship application season from April 1 to May 31, 2024, with presentations in June.
- Last year, \$1,500 was donated for the scholarship, with one student awarded.
- The scholarship is intended to promote agriculture in the town, open to students ages 17+ with a 2.0 GPA or above, who must write a 300–500-word essay.
- Concern raised about funding the scholarship if no donations are received, with a suggestion to potentially provide a general fund backup to ensure scholarships can be awarded.
- Request to check with the attorney on the legality of using general funds if donations are insufficient.
- Acknowledgement of the generosity of the community, but desire to ensure the scholarship program is sustainable.
 - **Citizen Scott Lehew:** With one child in college and another not too far away, he appreciates the value of scholarships. He feels that with all the discussion of how the Town is spending money, he feels that this scholarship should continue to be donation driven, as this is not core to the operation of the town.
- A motion was made by Council Member Anderson, seconded by Mayor Pro Tem Jaffe.

Motion Passes 5:0

I. General Public Comments: Comments are limited to three (3) minutes. If a translator is needed, the speaker may be given up to four (4) minutes. Sign-up is required BEFORE the Meeting is called to order. Be aware that the Town Council can only respond with *factual information only*. The Town Council may consider putting citizen concerns on a future agenda.

- **Citizen Dale Bryant:** Suggested to help reduce the ETJ costs, is considering not redacting the amount of information that is currently redacted.
- **Citizen Shelly Smith:** Brought up how she was removed from the previous meeting and therefore missed seeing when the meeting was adjourned. She said that the video

that was uploaded was cut off before the adjournment was made. She asked council to justify the perceived oversight. It was pointed out to Mrs. Smith that general comments are for comments only, not for questions and answers. She was invited to speak with the Mayor after the meeting if she had additional questions.

- **Citizen Patrick Smith:** Mr. Smith inquired of Council who paid for the State Trooper at the March 21st meeting. Receiving no answer, he went on to inquire as to when the Planning and Zoning meetings were held from November 16th to the present. He additionally asked for an outline of any expenses incurred during planning and zoning. Inquired as to copies of minutes of such meetings. He continued this line of questioning to each council member, as well as the Mayor and secretary until his three minutes expired.
- **Citizen David Emard:** Mr. Emard requested that the flag out front of the Town Hall be replaced as it is tattered. He said that he would like it replaced in honor of his son who was killed in Iraq 16 years ago. Citizen Glenn Straus offered to replace the flag at the Town Hall. [*The town had an extra flag and it was replaced after the meeting*].
- **Haley Dennis:** Felt that the meeting on March 21st was an insult to the citizens of Poetry. Was upset that the citizens had to wait until the end of the zoning review by council before they were allowed to speak. Pointed out things in the zoning ordinance that she was unhappy about and that the passing was rushed.
- **Citizen Rachel Faseler:** Is new to Poetry and is concerned that her home was just zoned as single-family when they moved here specifically for agriculture. Also feels that she now has to come before Council to make and changed or improvements to her home. The Mayor invited her to stay after the meeting so she could further explain how the zoning affects her and her property.

J. Adjourned Special Town Council Meeting at 8:33 PM.

Minutes by Town Secretary Anne E. Hamilton