

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

BE IT REMEMBERED THAT ON THIS DAY OF THE 18th of October 2022 at 6:30 pm, the City Council of Poetry, Texas, held a Regular Town Council Meeting and Public Hearing at 11214 FM 1565 Poetry, Texas, 75160 with the following present:

Mayor Tara Senkevech
Councilmember Tom Anderson
Councilmember Mike Jaffe

Councilmember Simeon White
Councilmember Terry Fowler
Councilmember Brian Vinson

Mayor Senkevech called the meeting to order at 6:30 pm.

Theresa Scholander, Town of Poetry Secretary, confirmed quorum.
All council members were present.

Pledge of Allegiance Invocation

Councilmember Jaffe led the pledge and invocation.

Mayor Senkevech- special thanks, reminder of voting dates.

1. Reports

Financial Report – September 2022

Mayor Senkevech.- gave a recap of donations, deposits, and credits.

b)Consent Agenda

1) Minutes for September 20th , 2022, Regular Town Council Meeting and Budget Public Hearing.

2) Minutes for the September 27th , 2022, Workshop, & Special Town Council Meeting

Councilmember Jaffe makes motion to push items to next meeting, giving council more time to review. Councilmember Fowler seconds. Passes 5:0

Mayor Tara Senkevech calls for vote to move Public Hearing to beginning of meeting, so that more citizens may speak. **Mayor Tara Senkevech** makes motion, seconded by **Councilmember Fowler . Passes 5:0**

Public Hearing

A) Discuss, hold a public hearing, and take action on a Comprehensive Plan and Future Land Use Map as provided by the Planning and Zoning subcommittee.

Councilmember White reads mission statement from PMZ for Comprehensive plan.

P&Z Chairwoman Katherine Hardwicke answers questions from Council, stating that this is the opportunity for the Council and Citizens to suggest edits.

Mayor Tara Senkevech suggests a footnote for the numbers used so that future Comprehensive Plans can use the same formula. She also suggests business/ nonprofit for clarification.

Councilmember Vinson reinforces that the map cannot be changed with every small change due to cost of reprinting.

Citizen Chad McFarlane comments that a Comprehensive Plan is not a requirement, and that he hopes there will be continued discussion before the Council votes concerning such.

Councilmember White reinforces the point that the Comprehensive Plan Map is not a zoning map and explains differences.

Time Stamp 24:22, Kerfuffle.

Councilmember Jaffe makes motion to allow Tracie Hibbs to speak, **Councilmember Fowler** seconds. **Mayor Tara Senkevech** calls for 5-minute recess at 7:00 p.m. Meeting resumes.

Mayor Tara Senkevech calls for vote. **Fails 2:3** Meeting breaks for another recess.

P&Z Member Robbyn Followill answers Mayors concern about nonprofit organizations, stating that would be detailed in a zoning map. She encourages people to email about Comprehensive Plan.

Citizen Shelley Smith expresses concerns over 3 maps made by Dorothy Dillon, claiming that Incorporation Map and FEC map were wrong. **Mayor Tara Senkevech** corrects Mrs. Smith about FEC map.

Citizen Patrick Smith asks multiple questions about the map, meeting, and reason for the Public Hearing. **Councilmember White** requests that changes which need to be made to the map be addressed with the committee.

P&Z Committee Member Mike Griffin asks Council to carefully consider land sizes and labels. He recommends adopting the Comprehensive Plan with added language saying that the Land Use Map be amended and adopted at a later time.

Councilmember Fowler asks for Plan and Map to be added to the website so that citizens have the opportunity to correct or make suggestions.

Mayor Tara Senkevech makes motion to add both to website for public accessibility, seconded by **Councilmember Fowler**. **Passes 5:0**

Regular Agenda

1. Discuss and take action on to amend the Council's Rule of Procedures to move public comments to the beginning of Regular and Special council meetings, to adjust public comment time, and to remove general public comment at the end of each meeting agenda. Also, to limit expert presentation to 15 minutes each for Regular Meetings.

Mayor Tara Senkevech explains why discussion on this matter is needed. **Councilmember Fowler** prefers the public to know the hearts of the council on matters before they speak and suggests putting items on the website earlier for public.

Councilmember White agrees, recognizing that not everything can go to the citizens, but most can. Council discusses pros and cons. **Councilmember Vinson** encourages citizens to reach out to the council members away from meetings to voice their opinions.

Citizens discuss pros and cons with the council. Citizen Evie Anderson has extensive research of other towns and cities, and shares with everyone most of her findings.

Councilmember Vinson makes motion to table item, seconded by **Councilmember Jaffe. Passes 5:0**

2. Discuss and take action on a potential amendment to the fiscal year 2022-2023 Town Budget.

Mayor Tara Senkevech shares research on revenue points of savings. She proposes that Sales Tax Revenue be adjusted as well as Solid Waste revenue in light of new information and to accommodate spending for the Road Project needed. Council discusses different aspects of changing this budget.

Citizen Chad McFarlane cautions Council on how businesses recognize addresses for purposes of payment. Poetry is still seen by most of the world as Terrell. Citizen Robbyn Followill cautions counting on monies not confirmed yet.

Councilmember Anderson makes motion to accept as written, seconded by **Councilmember Jaffe. Passes 5:0**

3. Discuss and take action on Project Sheets H-04 for road repairs on CR2326, CR 2458, CR 2442, and CR 2454

Councilmember Jaffe makes motion to approve worksheet, seconded by **Councilmember Fowler. Passes 5:0**

4. Discuss and take action on a Ground Lease Agreement with Longhorn Organics, LLC, for Town Hall parking, in lieu of an easement agreement.

Mayor Tara Senkevech discusses why this is necessary. Council is not happy with agreement. Citizens express concerns and share with Council. **Councilmember Vinson** makes motion to table for further edits and discussions. Seconded by **Councilmember Jaffe. Passes 5:0**

5. Discuss and take action on amended insurance rates as presented by TML Risk Insurance to meet the ground lease agreement standards for the Town Hall's parking lot. Item was discussed by Council. No action taken.

6. Discuss and take action on septic installation costs for the new Town Hall site.

Council and Citizens discuss pros and cons. **Councilmember Fowler** makes motion to wait, seconded by **Councilmember Jaffe. Fails 2:3.** **Councilmember Anderson** makes motion to accept septic work at this time, not seconded. **Councilmember White** makes motion to table item until later date, seconded by **Councilmember Jaffe. Passes 4:1** **Councilmember Fowler** in the negative.

7. Discuss and take action on other Town Hall site costs.

Mayor Tara Senkevech covers research done for Electric Companies. Council and citizens discuss different plans. Citizen Chad Dalida gives expert opinion on different plans.

Councilmember Anderson makes motion to accept one year plan, seconded by **Councilmember White. Passes 5:0**

Mayor Tara Senkevech calls for recess. Meeting resumed.

8. Discuss and take action on paying legal invoices.

Legal council Andy Messer discusses payments, invoices, and write offs with Council. He states that “pay what you think is fair” and when you need to pay it.

Councilmember Jaffe makes motion to pay May invoice, seconded by **Councilmember Anderson. Passes 5:0**

9. The Town Council will deliberate on the appointment, employment, duties and evaluation of the Town Attorney Firm.

Legal council Andy Messer gives information to Council, and answers questions and concerns. He recommends Executive Session for Legal Review. **Councilmember Jaffe** makes motion to move this to an Executive Session next month, seconded by **Councilmember Fowler. Passes 5:0**

10. Discuss and take action on a proposed template Right of Way agreement.

Mayor Tara Senkevech restates the edit she proposed. **Councilmember Vinson** requests to check another copy of the agreement to see if the change had been made. **Councilmember Vinson** makes motion to check edits and send to legal. Seconded by **Councilmember Anderson. Passes 5:0**

11. Discuss and take action on a Town Council Code of Ethics.

Mayor states that the state has 27 pages of Ethics code already. As a Type A General Law Town we must follow state laws. This code of Ethics was taken from primarily Terrell which is a Home Rule Charter and must come up with their own Code. Council discusses document. Legal council Andy Messer asks for the goal of the document. Councilmember Fowler asks about how a citizen would make a complaint and what the results could be. All of the Council members give their opinions on and about the document.

Legal council Andy Messer says that the recourse for Ethics violation is not legal in the document. Citizens Chad McFarlane, Robbyn Followill, Shelley Smith and Patrick Smith all agree that keeping Ethics in house is preferred to Austin, and that this document would foster trust in the town. Council feels more edits need to be made. No action.

12. Discuss and take action on a Resolution of the Town of Poetry accepting the electric franchise fee reimbursement list.

Councilmember Vinson asks for verbiage change. Citizen Tracie Hibbs accuses Mayor of fraud. {There is no written or other document to verify her claims. The claim concerning Dorothy Dillon has been found false.} *City auditor requires these statements inserted.

Councilmember Vinson moves to accept Resolution as amended. Seconded by **Councilmember Anderson. Passes 5:0**

13. Discuss and take action on an Ordinance amending the electric franchise ordinance to clarify that points of delivery are the basis for franchise fee applicability.

Mayor Tara Senkevech explains that the location of the meter base is what is the determining factor for who gets charged franchise fee. Only the electric company knows where that lies. Citizen Tracie Hibbs points out an Ordinance numbering error. Councilmember Vinson makes motion to accept ordinance with amendments. seconded by Councilmember Anderson. Passes 5:0

14. Discuss and take action on appointing the City Council to be the Planning and Zoning Commission. Council discusses lightly. Citizen Robbyn Followill states that the Council should not be the Commission. Citizen Mike Griffin states he believes that no action should be taken at this time. No action taken.

j) General Public Comments

Citizen Robbyn Followill reiterates that discussion with Council on every item is very important. Citizen Tracie Hibbs accuses Mayor Tara Senkevech of abusing power. Citizen Chad McFarlane asks for mileage of roads in Poetry. He also asks for lawyer bills total. Chad also asks about speed study. Mayor responds that TXDOT completed the study, but that a written report has not been received.

k) Adjourned Regular Meeting at 11:31 pm