

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

BE IT REMEMBERED THAT ON THIS DAY OF THE 27th of April 2023 at 6:30 pm, the Town Council of Poetry, Texas, held a Special Council Meeting 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

a) Call Town Council to order

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

b) Roll call to confirm quorum

Volunteer Evie Harper confirmed all Councilmembers were present.

c) Pledge of allegiance

d) Invocation

Councilmember White led the Pledge of Allegiance and Invocation.

e) CITIZEN COMMENTS:

f) Items of Community Interest

Mayor Senkevech thanked Card and Titan Waste for donating the dumpsters for the Town Spring Clean-up day. Mayor Senkevech also thanked the volunteers that helped that day including Councilmember Brian Vinson, Citizens Paula Waugh, Tanya Pollack, Jonathan Blake and all others that volunteered.

g) Reports

1. Financial Reports - March End 2023

Budget vs. Actual - End of Q2 Midyear Report

Mayor Senkevech reviewed the March End report with the Council. **Mayor Senkevech** also reviewed the Budget vs. Actual which reflected the Town was over on projected revenues and under on projected expenses. Mayor Senkevech stated that the Council did a good job on projected budget numbers.

2. Election report submitted by Secretary Shelton, reported by Evie Harper.

Volunteer Evie Harper, read the report by Town Secretary, Jana Shelton. Councilmember Jaffe corrected the Memo stating April 28th is Friday not Wednesday. Councilmember Jaffe also stated the town calendar on the website reflects Early voting goes through May 6, 2023 and should reflect May 2, 2023.

3. Secretary's Report also submitted by Secretary Shelton, reported by Evie Harper.

Volunteer Evie Harper, read Secretary Shelton's Secretary's report.

4. Oncor Letter – Mayor's statement from the online forum.

Mayor Senkevech stated that she had received a letter from Cindy Tayem at Oncor stated Oncor will not seek reimbursement from the Town of Poetry for the miscoding of accounts on Oncor's records. The accounts have been corrected and should be reflected in June's payment.

5. Postmaster Letter – Preferred Last Line – Councilmember Vinson

Councilmember Vinson stated that the Town of Poetry had received a letter from the Postmaster that stated the Town would not have their own zip code but the name of the Town of Poetry will be associated with 75160 when it is searched on the web.

6. Comptroller Letter – Councilmember Vinson

Councilmember Vinson stated the Town of Poetry received a letter from the Texas Comptroller's office welcoming Poetry into the "Sales Tax World". The letter explains that the sales tax is not associated with a Town's zip code but is based on where the purchase occurs. The Comptroller's office is responsible for assigning sales tax to a town-based software that is used to perform that calculation.

h) Consent Agenda

1. Correct Minutes from January 23, 2023 Meeting

Mayor Senkevech stated that a correction was made on Page 2, Item 2, to strike “Rules of Procedure” after the word “memo”. Councilmember Fowler also corrected on the last page the reference to “State Bat of Texas” should say the “State Bar of Texas”.

Councilmember Fowler made a motion to approve Minutes with the stated corrections. **Councilmember Vinson** seconded the motion. The motion carried with a 5-0 vote of the Council.

2. Minutes from March 21, 2023, Regular Meeting

Councilmember Jaffe made a motion to move item 2 from the Consent Agenda to Item 1a of the Regular Agenda. Seconded by **Councilmember White**. The motion passed unanimously.

i) Regular Agenda:

Executive Session: In accordance with Texas Local Government Code Section 551.001, et seq., the Town Council will recess into Executive Session (closed meeting) to discuss the following:

- 1. Texas Government Code 551.071, Consultation with Attorney, to conduct a private consultation with its attorney on a matter in which duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with this chapter: Employee matters and 1099 vs. W-2 for secretary/s.**
- 2. Reconvene into Open Session and take action, if any, on matters discussed in the Executive Session.**

Mayor Senkevech reconvenes the meeting at 7:36 p.m.

Councilmember Jaffe recapped the Executive Session by stating two Items were discussed. First was the exit Interviews that were requested by previous secretaries. One response was received and discussed. The Deputy Town Secretary was present to clear up any misunderstanding from the Exit Interview

response regarding the financials. **Councilmember Jaffe** stated he thought it was a good process to go through.

Councilmember Jaffe stated the second topic discussed was the option to pay the Town Secretaries with W-2s or 1099s. **Councilmember Jaffe** stated after discussion of the Council it was decided to use W-2 for employees.

3. Discuss and take action considering an RFQ for contractual engineer as needed for the town.

Mayor Senkevech explained to the Council Section 2254 of the Government Code that states Municipalities must go through a “Request for Qualifications” (RFQ) in order to select an Engineer. The Council discussed the reasons for the need for an Engineer for the Town. **Mayor Senkevech** stated once they received the qualifications then you select from the Engineers that have responded to the RFQ.

Mayor Senkevech will continue to create the RFQ and bring back to the Council.

Citizen Robin Followill spoke to the Council stating that the Council needs to adopt Building Codes and implement fees as guidance for the new Engineer.

Citizen Tracie Hibs spoke to the Council about previously mentioning the need for a government vendor list.

No action was taken on this item.

4. Discuss and take action on Voluntary Annexation Agreement with Lori and Andy Bass authorizing commencement of proceedings for property located at 16750 CR 248.

Mayor Senkevech stated Lori and Andy Bass have requested annexation for a sliver of their property that was not in the Town limits. An annexation agreement was prepared by the Town Attorney. After Council discussion of the Council it was decided questions and clarification are needed on the agreement. No Action was taken on the item.

5. Discuss and take action on CM Vinson’s Ordinance Restricting on the Implementation of Ad Valorem Tax in Poetry.

Councilmember Vinson spoke to the Council explaining the Ordinance Restricting on the Implementation of Ad Valorem Tax includes certain detailed procedures before the Town can implement property taxes. This document has been discussed on the Public Forum.

Councilmember White also added verbiage that would make it difficult to implement property taxes for the Town. His verbiage included the approval of a supermajority vote of the Council to pass an Ordinance implementing property tax.

Citizen Glen Straus spoke to the Council stating he lived in California where the property tax was low and the infrastructure was in bad shape due to little or no property tax.

Citizen Shelley Smith asked that mail outs be added to the notification process.

The Council noted the edits that need to be added to the document. The document will be placed on the Public Forum with edits for review.

A motion was made by **Mayor Pro Tem Anderson** and seconded by **Councilmember Jaffe** to table until the next meeting. The Council voted unanimously to pass the motion

6. Discuss and take action on CM White’s letter to Mayors and CM of Hunt County Cities urging them to consider a Resolution opposing the formation of Special Use Districts by developers.

Mayor Senkevech explained **Councilmember White** had composed a letter to the Hunt County Judge, Commissioners, and Mayor and Councils that would request Hunt County pass a similar Resolution like the one signed with Kaufman County against developing Special District and MUDS.

The Council held a discussion on edits that might be added to the document. The Council also determined that the letter should come from the Town of Poetry and not one individual.

Councilmember White stated that he will make suggested edits to the document and place on the Public Forum for review.

No action was taken on this item.

7. Discuss and take action on two-year Interlocal Agreement with Kaufman County for Roads.

Mayor Senkevech stated this is the agreement that needed to be renewed before the Town of Poetry can negotiate further on road repairs from Kaufman County. The contract is for two years instead of the previous one year contract with an automatic renewal.

Mayor Pro Tem Anderson made a motion to approve the two-year Interlocal Agreement. **Councilmember Vinson** seconded the motion. The motion carried with a 4-1 vote, **Councilmember Fowler** voting against the motion.

8. Discuss and take action on payment of legal bill for March of \$195.00.

Mayor Pro Tem Anderson made a motion to approve the legal bill for March of \$195.00. **Councilmember Fowler** seconded the motion. The motion was carried with a full vote of the Council.

9. Discuss and take action on annual TML membership of 788.00.

Mayor Senkevech stated that TML offers insurance, legal help, and training for employees and councilmembers.

Mayor Pro Tem Anderson made a motion to approve the TML annual membership of \$788.00. **Councilmember Fowler** seconded the motion. The motion carried with a unanimous vote for the Council.

10. Discuss and take action on Kaufman County Project Sheet 04 for roads CR247, CR 249, Gate Lane, Four Post Lane, and Green Meadows Lane for \$3280.00.

Councilmember Vinson stated that an Oil/Rock mixture was used on CR 323. **Mayor Senkevech** explained that she observed the work being done that day.

Mayor Senkevech stated the supervisor was using a one man machine with oil/mix/sand mixture. The supervisor stated that they were short-staffed. Discussions were held by the Council regarding the materials used by Kaufman County.

Citizen Robin Followill spoke to the Council stating work should have been stopped if they were not using the correct material.

Citizen Tracie Hibbs asked if the agreement with Kaufman County was in place when the work was done. **Councilmember Vinson** responded the Kaufman agreement was in place when the project was approved but had expired when the actual work was done.

Mayor Pro Tem Anderson made a motion to approve Sheet 04 for roads CR 247, CR 249, Gate Lane, Four Post Lane, and Green Meadows Lane for \$3280.00. **Councilmember Fowler** seconded the motion. **Councilmember Fowler** stated he will work on comradery with Commissioner Barber. The motion passed with a unanimous vote.

11. Discuss and take action on Hunt County Road Project Sheet 06 for roads CR 2458 and CR 2432 for \$1,000.00.

Citizen Tracie Hibbs asked if \$500.00 a piece is enough money to repair two roads. **Mayor Senkevech** replied yes.

Councilmember White made a motion to approve Project Sheet 06 for roads CR 2458 and CR 2432 for \$1,000.00. **Councilmember Fowler** seconded the motion. The motion was carried with unanimous vote of the Council.

12. Discuss and take action on outdoor bulletin board presented at \$587.40 (the one approved last month was not weatherproof despite being advertised as “outdoor”).

Mayor Senkevech explained **Mayor Pro Tem Anderson** noticed that even though the previously ordered bulletin board was advertised as “weather resistant” it was not “weather proof” or “water resistant” and needed to be placed under a covering such as an awning. **Mayor Pro Tem Anderson** found a bulletin board form U-line Company that is waterproof.

Mayor Pro Tem Anderson has volunteered to make posts for the bulletin board to keep the price down.

Citizen Robin Followill asked for clarification on which Board is being ordered and was shown a picture of the Board.

Mayor Senkevech stated that we have already received credit for the Board that was returned.

Councilmember Jaffe made a motion to approve the new Bulletin Board for the cost of \$587.40. **Mayor Pro Tem Anderson** second the motion. The motion was carried with a unanimous vote of the Council.

13. Discuss and take action on items for the Town Hall Site.

Mayor Senkevech introduced John Steele who owns a construction company and gave the Town an estimate to finish out the closet and repair the roof.

Councilmember Fowler has worked with Mr. Steele in the past and is recommending Mr. Steele for the job.

Extensive discussion was held with Mr. Steele about the condition of the building. Mr. Steele went over the bid and explained that he is working with a roofer, Mr. Simmons. Mr. Steele is recommending replacement of the entire roof.

Mayor Senkevech has held discussions with Mr. Simmons and understands the roof needs to be replaced but the cost is not in the current budget.

Mayor Senkevech stated the current approved budget includes the addition of the closet, roof repairs and the installation of the Sewer system.

Citizen Chad West spoke to the Council stating he felt the Council did not have a complete budget for the project. **Mayor Senkevech** stated there is a plan and budget but it is a work in progress.

Citizen Robin Followill said the Council needs three estimates for a roof replacement.

Citizen Shelley Smith feels that the Council needs a budget with total actual expenses.

Citizen Dale Bryant stated the Town needs a revised budget showing completion of the project to occupancy.

Inspections and ADA compliance was discussed.

Mayor Pro Tem Anderson stated the Council should move forward with the estimate in the installation of sewer for \$7,000.00. Councilmember Vinson and his wife, Sherry, have volunteered to pay \$500.00 to the installation of the sewer system.

Mayor Pro Tem Anderson made a motion to approve the estimate from Vicars for the sewer system. **Councilmember Vinson** seconded the motion. The motion passed with a 3-2 vote. **Councilmember Fowler** and **Councilmember Jaffe** voted against the motion. Councilmember Fowler voted no due to not agreeing on the system that is being installed.

The Council agreed that **Councilmember Fowler** will meet with John Steele and get estimates on the total roof replacement and other repairs that were presented and place information on the Public Forum.

j) **General Comments**

Citizen Kenzie Salisbury spoke to the Council thanking each Council Member and Mayor for a great job these past two years. She enjoys being in the Community and has made lots of friends and looks forward to meeting new friends.

Citizen Shelley Smith referred to the year 2021 and stated **Mayor Senkevech** asked for appraised values for poetry property at the request of two Councilmembers. **Mrs. Smith** inquired which Councilmembers requested the information. **Mayor Senkevech** stated that as the Financial Manager of the Town she has a duty to know the appraised values of the town.

Ms. Smith stated she felt there was no request by Councilmembers.

Citizen Patrick Smith asked what two Councilmembers made the inquiry for property appraised value in 2021 to **Mayor Senkevech**.

Citizen Dale Bryant offered information on ADA inspections and building inspections. **Mayor Senkevech** asked him to email her the information.

Citizen Robin Boles spoke to the Council stating she has attended meetings for a year and the projects do not seem to be moving forward. Ms. Boles stated the arguing and bad mouthing of the Council seem to keep things from moving forward. Ms. Boles stated good Christians should act with solidarity.

Citizen Tracie Hibbs feels the Town has serious issues with leadership. All Councilmembers are leaders of the City and they should get rid of the discord and move forward. Ms. Hibbs stated the Council needs to remember they work for the citizens of the Town.

k) Adjournment

Mayor Senkevech adjourned the meeting at 10.53 p.m.

Mayor, Tara Senkevech

Attest:

Jana Shelton, Town Secretary