

STATE OF TEXAS)(

COUNTY OF HARDIN)(

CITY OF SILSBEE)(

On this the 16th day of April 2024 at 6:30 p.m. the City Council of the City of Silsbee held a Regular Called Meeting in the Regular Meeting place thereof with the following members being present, in which constituted a quorum:

Mayor Danny Reneau, **not present**
Mayor Pro-Tem Mark Muckleroy, present
Council Member Adalaide Balaban, present
Council Member Paul Davis, present
Council Member Roy Gravis, present
Council Member Thomas Tyler, present
Council Member William Bass, present
City Manager DeeAnn Zimmerman, present
Assistant City Secretary Brooke Steel, present
City Attorney Solomon Freimuth, present

I. CALL TO ORDER/ROLL CALL.

Time approximately 6:30p.m. Mayor Pro-Tem Mark Muckleroy asked for a roll call and stated that a quorum was present.

II. PLEDGE AND INVOCATION.

Pledge was conducted followed by Prayer led by Mayor Pro-Tem Mark Muckleroy.

III. PRESENTATION OF PROCLAMATION.

Pass.

VI. HEARING OF VISITORS.

Dan Miller at 101 Hickory Drive, stated cats are constantly getting pushed, not feeding the cats will not help the situations. The cats only come out when they are hungry, but the cat colonies are well fed. Was told that grants are available to spay and neuter.

Leeann Leblanc at 7687 Hicks Dairy worked as a vet technician also does TNR doesn't ask for money or help. Wants City to come up with a TNR program and nor shut down TNR groups just wants support and help with cat population.

David Leblanc at 7687 Hicks Dairy wife LeeAnn has opened his eyes, ordinance banning feeding on property will hinder organizations.

Lexi Swindell addressed feeding ban will be ineffective but wants to come up with a compromise to allow them to continue feeding and doing TNR. People need to get involved to help with colonies.

V. DISCUSSION AND POSSIBLE ACTION ON APPROVING THE MINUTES OF MARCH 18, 2024, MEETING. (City Manager)

Council Member Thomas Tyler made a Motion to Approve March 18, 2024 Minutes.

Council Member Paul Davis Seconded the Motion and was passed with a unanimous vote of the Council.

VI. DISCUSSION AND POSSIBLE ACTION ON APPROVING THE EXPENDITURES FOR THE MONTH OF April 2024. (City Manager)

Council Member Paul Davis made a Motion to Approve the Expenditures for April 2024.

Council Member Thomas Tyler Seconded the Motion and was passed with a unanimous vote of the Council.

VII. CITY MANAGER'S REPORT.

1. Presentation of Quarterly Investment Report.

City Manager DeeAnn Zimmerman Presented Quarterly Investment Report for the General Fund, Water & Sewer, and WTR Meter Energy Conservation Fund.

VIII. PUBLIC WORK DIRECTOR'S REPORT.

1. Longleaf Lift Station city take over request.

Public Works Director Roger Martin addressed, stated that they want the City to takeover lift station.

2. Update on North 6th Street Drainage.

Public Works Director Roger Martin collapsed storm drains, has a line item for rental equipment used to replace driveways.

3. Update on Valinda Road Project.

Public Works Director Roger Martin is waiting to finish due to sewer line collapsed.

4. Update on Valinda Sewer Line.

Public works director Roger Martin addressed sewer line collapsed at Twilight and Hays Road \$40,000 project.

5. Service Truck for P/W

Russell Hutto addressed need for crane truck he has went and looked at ½ ton truck they want \$40,000. Need to pull their own pumps with, went over what all came with truck.

6. 21st Street Park Equipment Options.

Council Member Thomas Tyler wants the same playground set as Knipple.

7. Pickle Ball Court Options.

Public Works Director stated it's a big topic. Will be at Knipple with 2 courts.

IX. ITEMS TO BE CONSIDERED.

1. Request from Dean Robinson, Neches Bell busted water line bill. Dean Robinson 3892 US Hwy 96 North went over his issue, discussion was held.

City Attorney Solomon Freimuth said it would go toward unaccounted water loss and would have to do this for others in the future.

No turn off or adjustment until further investigation.

Council member Paul Davis made a Motion to table until next meeting.

Council Member Adalaide Balaban Seconded the Motion.

City Attorney Solomon Freimuth said to check and see how much it will cost the city.

Passed with a unanimous vote of the Council.

2. Discussion and Possible Action on Street Closure request from Friends of the Library from 4th Street and Ave. G to Earnest Ave, then from Ave H at 5th Street to 3rd Street, April 27, 2024, from 7:00 a.m. to 6:00 p.m. for Spring in the Big Thicket Festival. (Librarian/Cathy Johnson) Debbie Parks from Friends of the Library addressed.

Council Member Thomas Tyler made a Motion to Approve Street Closure for the Spring in the Big Thicket Festival.

Council Member William Bass Seconded the Motion and was passed with a unanimous vote of the Council.

3. Discussion and Possible Action on ORDINANCE NO. 24-06 AN ORDINANCE AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES, CITY OF SILSBEE, TEXAS, WHICH REGULATES

ANIMALS IN THE CITY OF SILSBEE; ESTABLISHING A PENALTY FOR VIOLATIONS; AND PROVIDING AN EFFECTIVE DATE. (City Attorney)

City Attorney Solomon Freimuth stated Public Works Director Roger Martin called and said the Mayor wanted him to look in to Port Neches animal ordinance.

Mayor Pro-Tem Mark Muckleroy made a Motion to only include illegal dumping unless from TNR Programs.

Council Member Paul Davis Seconded the Motion.

Motion Failed.

4. **Discussion and Possible Action on ORDINANCE NO. 24-07
AN ORDINANCE OF THE CITY OF SILSBEE, TEXAS ADOPTING A WATER CONSERVATION PLAN AND A DROUGHT CONTINGENCY PLAN; ESTABLISHING THE OBJECTIVES OF THE PLAN; IDENTIFYING WATER CONSERVATION AND DROUGHT CONTROL GOALS; ESTABLISHING ENFORCEMENT OF THE PLAN; ESTABLISHING A PUBLIC EDUCATION AND INFORMATION CAMPAIGN; AND PROVIDING SEVERABILITY AND EFFECTIVE DATE.**

City Manager DeeAnn Zimmerman addressed.

Mayor Pro-Tem Mark Muckleroy made a Motion to Approve Ordinance No. 24-07 and read the caption in full.

Council Member Roy Gravis Seconded the Motion with old dates being removed and adding in correct dates and was passed with a unanimous vote of the Council.

5. **Discussion and Possible Action on Resolution No. 24-07
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SILSBEE TEXAS, APPROVING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING SERVICES FOR THE CDBG SANITARY SEWER REBALILITATION PROJECT BETWEEN THE CITY OF SILSBEE, TEXAS AND LEAD ENGINEERING & DESIGN, LLC AND AUTHORIZING AND COMMANDING THE MAYOR OF THE CITY OF SILSBEE TO ACT AS THE REPRESENTATIVE OF THE CITY OF SILSBEE IN SAID AGREEMENT. (City Manager)**

City Manager DeeAnn Zimmerman stated that LJA has already been hired we just need to adopt policies.

Council Member Roy Gravis made a Motion to Approve Resolution No. 24-07 and read the caption in full.

Council Member Paul Davis Seconded the Motion and was approved with a unanimous vote of the Council.

6. **Discussion and Possible Action on Resolution No. 24-08
A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SILSBEE, TEXAS TO AUTHORIZE THE CITY MANAGER TO EXECUTE ON BEHALF OF THE CITY OF SILSBEE, TEXAS A CONTRACT FOR ELECTION SERVICES FOR THE ELECTION ON MAY 4, 2024. (City Manager)**

City Manager DeeAnn Zimmerman stated this is contract is for voting machine rentals.

Council Member Thomas Tyler asked if we are charging these entities for using City Hall?

Council Member Roy Gravis made a Motion to approve Resolution No. 24-08 and read the caption in full.

Council Member Paul Davis Seconded the Motion and was passed with a unanimous vote of the Council.

7. **Discussion and Possible Action on Resolution No. 24-09
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SILSBEE, TEXAS AUTHORIZING THE EXECUTION OF A RAIL**

CROSSING AGREEMENT BETWEEN THE CITY OF SILSBEE, TEXAS AND CLR SILSBEE PROPERTY OWNER LLC (ALSO KNOWN AS COUNTY LINE RAILS) AND DESIGNATING A SIGNATORY FOR SAID AGREEMENT.

City Attorney Solomon Freimuth addressed. They are paying for hot mix but wants city to pay for signs at Roosevelt and maintain them.

Mayor Pro-Tem Mark Muckleroy made a Motion to Approve Resolution No. 24-09 and read the caption in full.

Council Member Paul Davis Seconded the Motion and was passed with the following vote: (4-2)

AYES: Mayor Pro-Tem Mark Muckleroy, Council Member Paul Davis, Council Member William Bass, and Council Member Adalaide Balaban.

NAYES: Council Member Thomas Tyler and Council Member Roy Gravis.

8. Discussion and Possible Action on Resolution No. 24-10

A RESOLUTION OF THE CITY OF SILSBEE CITY COUNCIL, TEXAS AUTHORIZING THE CITY OF SILSBEE TO APPLY FOR GRANT FUNDING FOR ITS "BODY CAMERA PROJECT" FROM THE GOVERNORS PUBLIC SAFETY OFFICE AND REPEALING RESOLUTION NO. 24-02. (Chief of Police)

Council Member Thomas Tyler made a Motion to Approve Resolution No. 24-10 and to authorize the City Attorney to make changes if needed only on this item.

Council Member Paul Davis Seconded the Motion and was passed with a unanimous vote of the Council.

9. Discussion and Possible Action on Annual Renewal of the City of Silsbee Employee Health Insurance Policy. (City Manager)

Council Member Thomas Tyler made a Motion to Approve Health Insurance Policy.

Council Member Roy Gravis Seconded the Motion and was passed with a unanimous vote of the Council.

10. Discussion and Possible Action on using General Fund Reserve for Contingencies Funds for quote for Driveway Replacement at 965 N. 6th Street. (City Manager)

Recommendation- Tony's Concrete for \$6,800.00

Council Member Roy Gravis made a Motion to Approve using General Fund Reserve for Contingencies for Tony's Concrete.

Council Member Thomas Tyler Seconded the Motion and was passed with a unanimous vote of the Council.

11. Discussion and Possible Action on using Water & Sewer Reserve for Contingencies Funds for equipment rental for broken water line. At 201 Hickory. (City Manager)

Council Member Paul Davis made a Motion to Approve use for Water & Sewer Reserve for Contingencies Funds for equipment rental.

Council Member Roy Gravis Seconded the Motion and was passed with a unanimous vote of the Council.

12. Discussion and Possible Action on Appointing/Re-Appointing a Board Member to the Silsbee Zoning Board of Adjustments & Appeals Commission. Current Board Member/Fred Arline. (Council Member Thomas Tyler)

Council Member Thomas Tyler made a Motion to Reappoint Fred Arline to the Silsbee Zoning Board of Adjustments and Appeals Board.

Council Member Roy Gravis Seconded the Motion and was passed with a unanimous vote of the Council.

13. Discussion and Possible Action on Appointing/Re-Appointing a Board

Member to the Silsbee Zoning Board of Adjustments & Appeals Commission. Current Board Member/Robert Smith. (Council Member Roy Gravis)

Council Member Roy Gravis made a Motion to Reappoint Robert Smith to the Silsbee Zoning Board of Adjustments and Appeals Board. Council Member Paul Davis Seconded the Motion and was passed with a unanimous vote of the Council.

- 14. Discussion and Possible Action on Appointing/Re-Appointing a Board Member to the Silsbee Planning & Zoning Board of Commission. Current Board Member/Angela Smith. (Council Member Roy Gravis)**
Council Member Roy Gravis made a Motion to Reappoint Angela Smith to the Silsbee Planning & Zoning Board.
Council Member Paul Davis Seconded the Motion and was passed with a unanimous vote of the Council.

- 15. Discussion and Possible Action on Bridge on Maxwell and curve at Ave. P. (Council Member Thomas Tyler)**
Council Member Thomas Tyler said washing folks' property out, issue needs to be addressed.
Public Works Director Roger Martin stated bridge is a part of the County Grant.

- 15. Discussion and Possible Action regarding awarding a demolition Services Contract for CDBG-DR Local Acquisition Program Contract No. 20-066-024-C178 and Approval for the City Manager to sign the same. (City Manager)**
City Manager stated that this is for the home at Possum Hollow.
Council Member Thomas Tyler made a Motion to Approve demolition service contract.
Council Member Roy Gravis Seconded the Motion and was passed with a unanimous vote of the Council.

- 17. Discussion and Possible Action on using Water & Sewer Reserve for Contingencies Funds for equipment rental for dress up at 201 Hickory. (City Manager)**
Council Member Roy Gravis made a Motion to Approve using Water & Sewer Reserve for Contingencies Funds for equipment rental at 201 Hickory.
Council Member Thomas Tyler Seconded the Motion and was passed with a unanimous vote of the Council.

- 18. Discussion and Possible Action on using Water & Sewer Reserve for Contingencies Funds for equipment Rental for 206 Dogwood. (City Manager)**
Council Member Roy Gravis made a Motion to Approve Water & Sewer Reserve for Contingences Funds for equipment rental for 206 Dogwood.
Council Member Roy Gravis Seconded the Motion and was passed with a unanimous vote by the Council.

- 19. Discussion on Center Point Rate Case Status. (City Attorney)**
City Attorney Solomon Freimuth said they were looking into splitting into 4 different service areas. Fought against splitting but will only be split into 2 areas. Will receive Ordinance to Approve Settlement for no rate increase.

- 20. Discussion and Possible Action on Piney Woods/Live Oak Contract Update. (City Attorney)**
City Attorney Solomon Freimuth addressed. Stated he has been gathering evidence but in the meantime, they have been doing their job. Council Member Roy Gravis wants to go on record not wanting to

renegotiate contract.

Mayor Pro-Tem made a Motion to continue to gather information and put on next Agenda.

Council Member Paul Davis Seconded the Motion and was passed with A unanimous vote of the Council.

21. Discussion on TxDOT Municipal Maintenance Agreement with the City of Silsbee. (City Attorney)

City Attorney Solomon Freimuth addressed Highway Department Maintenance Agreement. Wants Council to study over it and will come back to work on agreement.

X. DISCUSSION ABOUT ITEMS NOT ON THE AGENDA, SPECIFICALLY LIMITED TO PROPOSALS THAT A SUBJECT BE PLACED ON THE AGENDA FOR A SUBSEQUENT MEETING.

Council Member Thomas Tyler wants to know about green boxes in yards when fiber optic group came to town.

XI. EXECUTIVE SESSION.

Not Held.

- a. Pursuant to Texas Gov't Code Sect. 551.074(a)(1) to deliberate the appointment, employment, evaluation, reassignment, duty, discipline, or dismissal of a Public Officer or Employee.
- b. Pursuant to Texas Gov't Code Sect. 551.071(1)(A) to consult with City Attorney on pending or contemplated litigation
- c. Pursuant to Texas Gov't Code Sect. 551.071(2) to consult with City Attorney on a matter in which the duty of the Attorney to the Governmental Body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.
- d. Pursuant to Texas Gov't Code Sect. 551.072 to deliberate the purchase, exchange, lease, or value of real property.

XII. DISCUSSION AND POSSIBLE ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION.

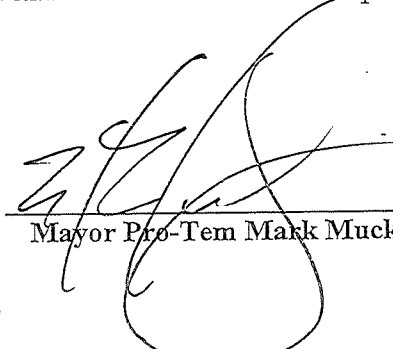
XIII. ADJOURN.

Time approximately 8:30p.m. with no further discussion

Council Member Roy Gravis made a Motion to Adjourn.

Council Member Thomas Tyler Seconded the Motion and was passed with a unanimous vote of the Council.

SIGNED:



Mayor Pro-Tem Mark Muckleroy

ATTEST:



Brooke Steel, Assistant City Secretary