

STATE OF TEXAS        )(

COUNTY OF HARDIN   )(

CITY OF SILSBEE       )(

On this the 22nd day of January 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, 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, **not present**  
Assistant City Secretary Brooke Steel, present  
City Attorney Solomon Freimuth, present

**I. CALL TO ORDER/ROLL CALL.**

Time approximately 6:30 p.m. Mayor Danny Reneau 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 Danny Reneau.

**III. HEARING OF VISITORS.**

Lora Capehart with Republic Services addressed Mayor and Council stating she wants to get to know the City before contract expires in 2025 and RFQs start for new garbage services.

**IV. DISCUSSION AND POSSIBLE ACTION ON APPROVING THE MINUTES OF DECEMBER 18, 2023, MEETING. (City Manager)**

Mayor Pro-Tem Mark Muckleroy made a Motion to Approve THE December 18, 2023 Minutes.  
Council Member William Bass Seconded the Motion and was passed with a unanimous vote of the Council.

**V. DISCUSSION AND POSSIBLE ACTION ON APPROVING THE EXPENDITURES FOR THE MONTH OF JANUARY 2024. (City Manager)**

Mayor Pro-Tem Mark Muckleroy made a Motion to Approve the January 2024 Expenditures.  
Council Member Adalaide Balaban Seconded the Motion and was passed with a unanimous vote of the Council.

**VI. PUBLIC WORK DIRECTOR'S REPORT.**

**1. Presentation on Annual Water Report**

Public Works Director Roger Martin addressed Annual Water Report from Oct 2022 to Sept 2023 and how much volume of water has been pumped out.

**2. Update Blacksmith Road Project**

Public Works Director Roger Martin stated that the project is about 85% done.

**3. Update Roosevelt and Old 418 Rail Crossing**

Public Works Director Roger Martin stated material has been ordered, City Attorney Solomon Freimuth waiting on documents from the Rail Company. Also stated we should not do tie ins for the Railroad project.

**VII. CONSENT AGENDA ITEMS.**

**1. Discussion and Possible Action on Invoice No. 3 in the amount of \$11,024.00 from Grant Works for City of Silsbee ARPA Grant for Administration Services.**

Council Member Paul Davis made a Motion to Approve Consent Agenda Item #1.

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

**2. Discussion and Possible Action on Invoice No. 4 in the amount of \$11,024.00 from Grant Works for the City of Silsbee ARPA Grant for Administration Services.**

Council Member Paul Davis made a Motion to Approve Consent Agenda Item #2.

Council Member Adalaide Balaban Seconded the Motion and was passed with a unanimous vote of the Council.

**3. Discussion and Possible Action on Approving Pay Request No. 2 from Blacksmith Ventures, LLC in the amount of \$219,055.50 for work completed on the ARPA Street Rehab Project.**

Council Member Thomas Tyler stated that he is not ok with Consent Agenda Item #3 due to having a discussion on streets and the issues have not been corrected.

Council Member Paul Davis made a Motion to Approve Consent Agenda Item #3.

Council Member Roy Gravis Seconded the Motion and was passed with the following vote: (5-1)

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

**NAYES:** Council Member Thomas Tyler

**4. Discussion and Possible Action on Approving Pay Request No. 3 from T. Johnon Industries in the amount of \$40,500.00 for work completed on the Fresenius Road Lift Station Project/ ARPA Funds.**

Council Member Paul Davis made a Motion to Approve Consent Agenda Item #4.

Council Member Adalaide Balaban Seconded the Motion and was passed with a unanimous vote of the Council.

**VIII. ITEMS TO BE CONSIDERED.**

**1. Discussion and Possible Action on Approving Change Order No. 1 in the amount of \$5,000.00 from T. Johnson Industries for wet well cover modifications, piping modifications, and pipe support. (Trey Gaspard, LJA)**

Trey Gaspard addressed this change order is for rehabbing existing fixtures and that the project was going fairly well.

Council member Paul Davis made a Motion to Approve Change Order No. 1 in the amount of \$5,000.00.

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

**2. Discussion and Possible Action on Request for stop sign located at the intersection of Knuppel and Gentry. (City Manager)**

Assistant City Secretary Brooke Steel stated this is the second request and we are bringing it to Council to make the decision on whether or not a stop sign needs to be put we asked the PD on the first request and it was deemed not necessary.

Mayor Pro-Tem Mark Muckleroy stated it is a 30-mph road and doesn't understand why and if we allow it on one major thru fair, we need to add a stop sign on all of them.

Mayor Danny Reneau asked Chief Shawn Blackwell what was his recommendation.

Chief Shawn Blackwell stated he sees both sides but the location does not have accidents there often.

Council Member Paul Davis made a Motion to Approve Stop sign request located at the intersection of Knuppel and Gentry.

Council Member Roy Gravis Seconded the Motion and was passed with the following vote: (3-4)

**AYES:** Council Member Paul Davis, Council Member Roy Gravis, and Council Member Adalaide Balaban.

**NAYES:** Council Member Thomas Tyler, Council Member William Bass, and Mayor Pro-Tem Mark Muckleroy

**TIE:** Mayor Danny Reneau vote: **NAYE**

**3. Discussion and Possible Action on Ordinance No. 24-01**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SILSBEE, TEXAS TO INCLUDE "TREES" TO THE LIST OF ITEMS PERMISSIBLE TO BURN IN OPEN FIRES IN ORDINANCE SECTION 26-02- OPEN FIRES. (City Attorney)**

Mayor Pro-Tem Mark Muckleroy made a Motion to Approve Ordinance No. 24-01 and read caption in full waving the second reading.

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

**4. Discussion and Possible Action on Ordinance No. 24-02**

**AN ORDINANCE APPROVING AMENDMENTS TO THE FY 2022-2023 MUNICIPAL BUDGET OF THE CITY OF SILSBEE, TEXAS.(City Manager)**

Mayor Pro-Tem Mark Muckleroy made a Motion to Approve Ordinance No. 24-02 and read caption in full.

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

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

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

**5. Discussion and Possible Action on Ordinance No. 24-03**

**AN ORDINANCE APPROVING ADJUSTMENTS TO THE FY 2022-2023 MUNICIPAL BUDGET OF THE CITY OF SILSBEE, TEXAS. (City Manager)**

Mayor Pro-Tem Mark Muckleroy made a Motion to Approve Ordinance No. 24-03 read the caption in full waving the second reading.

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

**6. Discussion and Possible Action on Ordinance No. 24-04**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF**

**SILSBEE, TEXAS, AUTHORIZING PARTICIPATION WITH OTHER ENTERGY SERVICE AREA CITIES IN MATTERS CONCERNING ENTERGY TEXAS, INC. AT THE PUBLIC UTILITY COMMISSION OF TEXAS IN 2024; AUTHORIZING THE HIRING OF LAWYERS AND RATE EXPERTS; AUTHORIZING THE CITY'S PARTICIPATION TO THE FULL EXTENT PERMITTED BY LAW AT THE PUBLIC UTILITY COMMISSION OF TEXAS; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; AND DECLARING AN EFFECTIVE DATE. (City Attorney)**

City Attorney Solomon Freimuth addressed this is done every year where group of cities gather together and get lawyers to help fight rate increases.

Mayor Pro-Tem Mark Muckleroy made a Motion to Approve Ordinance No. 24-04 and read the caption in full waving the second reading.

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

**7. Discussion and Possible Action on Resolution No. 24-01**

**A RESOLUTION OF THE CITY OF SILSBEE, TEXAS AUTHORIZING THE POLICE DEPARTMENT TO APPLY FOR GRANT FUNDING FOR ITS "RADIO PROJECT" FROM THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM. (Chief, Shawn Blackwell)**

Chief Shawn Blackwell addressed this is 5<sup>th</sup> year we have been able to get awarded this grant. Would like to get 9 in car radios and it is 100% funded with no cost to the city.

Council Member Paul Davis made a Motion to Approve Resolution No. 24-01 and read the caption in full.

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

**8. Discussion and Possible Action on Resolution No. 24-02**

**A RESOLUTION OF THE CITY OF SILSBEE, TEXAS AUTHORIZING THE POLICE DEPARTMENT TO APPLY FOR GRANT FUNDING FOR ITS "BODY CAMERA PROJECT 2025" FROM THE GOVERNOR'S PUBLIC SAFETY OFFICE. (Chief, Shawn Blackwell)**

Chief Shawn Blackwell addressed these body cams will be for anyone that makes stop. Also, it is a 75/25 with the city's match being about \$4,990.90.

Council Member Thomas Tyler asked will this match come out of the budget?

Chief Shawn Blackwell stated that this isn't until 2025 so they will put it in the FY 24-25 budget.

Council Member Paul Davis made a Motion to Approve Resolution No. 24-02 and read the caption in full.

Council Member Adalaide Balaban Seconded the Motion and was passed with a unanimous vote of the Council.

**9. Discussion and Possible Action on Resolution No. 24-03 Authorizing the City's Participation in the Smart Buy Program. (Chief, Shawn Blackwell)**

Chief Shawn Blackwell addressed this is to purchase Blood Alcohol Test Kits it's only a \$100.00 a year.

Council Member Thomas Tyler made a Motion to Approve Resolution No. 24-03 and read the caption in full.

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

**IX. 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 would like the Pineywoods contract.  
Council Member Paul Davis Grants for Animal Shelter, breeders selling at Walmart and SW corner on Winnie Circle the drainage and lighting.  
Public Works Director Roger Martin stated that bids go out in March for the drainage and will contact Entergy regarding lighting.

**X. EXECUTIVE SESSION.**

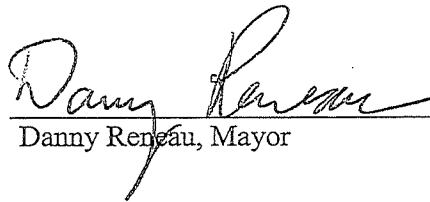
- a. Pursuant to Texas Gov't Code Sect. 551.074(a)(1) to deliberate the appointment, employment, evaluation, reassignment, duty, discipline, or dismissal of a Public Officer or Employee.
- b. Pursuant to Texas Gov't Code Sect. 551.071(1)(A) to consult with City Attorney on pending or contemplated litigation
- 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.

**XI. DISCUSSION AND POSSIBLE ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION.**

**XII. ADJOURN.**

Time approximately 8:05 p.m. with no further discussion Council Member Thomas Tyler made a Motion to Adjourn.  
Mayor Pro-Tem Mark Muckleroy Seconded the Motion and was passed with a unanimous vote of the Council.

SIGNED: \_\_\_\_\_

  
Danny Reneau, Mayor

ATTEST: \_\_\_\_\_



Brooke Steel, Assistant City Secretary