

STATE OF TEXAS)(

COUNTY OF HARDIN)(

CITY OF SILSBEE)(

On this the 29th 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, **not 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 6:30 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.

Nicole FM92, Silsbee say lots of dogs running loose where she has helped get them to the vet and buys food, people setting up at Walmart either selling or giving away all different breeds of dogs. Animal shelters are overwhelmed and wants to know how the issues can be fixed. Council Member Paul Davis stated we have a line item on the agenda to discussion this exact problem.

IV. CITY MANAGER'S REPORT.

1. Update on New Grant Award.

City Manager DeeAnn Zimmerman address City has been awarded TDA grant for CDBG 2023 funding opportunity for \$550,000.00. It will be used to replace sewer lines and lift station for Pine Shadows.

2. Presentation of Quarterly Investment Report.

City manager DeeAnn Zimmerman address Texpool Interest Rates for General Fund, Water & Sewer, and Wtr Meter Cons Project.

V. ITEMS TO BE CONSIDERED

1. Presentation of City Annual Audit. (Darla Dear)

Darla Dear went over City Audit stated everything looked good, great job on unmodified opinion.

2. Presentation of SEDC Annual Audit. (Darla Dear)

Darla Dear went over SEDC Audit stated great job on unmodified opinion.

3. Discussion and Possible Action on Ordinance No. 24-05

AN ORDINANCE RECEIVING AND ANNEXING TERRITORY TO THE CITY OF SILSBEE. (City Manager)

Council Member Paul Davis made a Motion to Approve Ordinance No. 24-05.

Mayor Pro-Tem Mark Muckleroy Seconded the Motion.

City Attorney Solomon Freimuth stated that Billingsley does have eight liners, but he is willing to pay all fees. Also needs to change ordinance regarding timing. Solomon said to zone to commercial.

Was passed with a unanimous vote of the Council.

4. Discussion and Possible Action on Piney Woods/Live Oak Contract and collection issues. (City Attorney/City Manager)

Sonny Hubbard addressed.

City Manager DeeAnn Zimmerman stated Pineywoods said they would come back and pick up trash and then called back saying no they cannot do that. We are tired of citizens calling saying they haven't had their trash picked up.

Mike Fuller and Mike Nelson addressed Council.

Council Member Paul Davis made a Motion to Table any action until next month Regular Meeting.

Mayor Pro-Tem Mark Muckleroy Seconded the Motion and was passed with a unanimous vote of the Council.

5. Discussion and Possible Action on pursuing reimbursement for payroll overpayments to certain employees of the City of Silsbee, Texas. (City Attorney)

City Attorney Solomon Freimuth stated he did want on the agenda but everything has been handled.

6. Discussion and Possible Action on Ordinance No. 24-02

AN ORDINANCE APPROVING AMENDMENTS TO THE FY 22-23 MUNICIPAL BUDGET OF THE CITY OF SILSBEE, TEXAS.

(City Manager) SECOND READING

Council Member Roy Gravis made a Motion to Approve Ordinance No. 24-02.

Mayor Pro-Tem Mark Muckleroy Seconded the Motion and was passed with a unanimous vote of the Council.

7. Discussion and Possible Action on Resolution No. 24-04

A RESOLUTION CALLING FOR AN ELECTION AND PROVIDING PROCEDURES FOR CANDIDATES TO FILE FOR ELECTION TO BE HELD BY THE CITY OF SILSBEE, TEXAS ON MAY 4, 2024, FOR THE PURPOSE OF ELECTING THE FOLLOWING:

COUNCIL MEMBER AT -LARGE, PLACE I, COUNCIL MEMBER DISTRICT A, AND COUNCIL MEMBER DISTRICT B, AND PROVIDING FOR PLACE AND MANNER OF HOLDING SAID ELECTION. (City Manager)

Mayor Pro-Tem Mark Muckleroy made a Motion to Approve Resolution No. 24-04 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. 24-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SILSBEE TEXAS, APPROVING A JOINT ELECTION AGREEMENT BETWEEN THE SILSBEE INDEPENDENT SCHOOL DISTRICT AND THE CITY OF SILSBEE, TEXAS, AND DESIGNATING AN AUTHORIZED SIGNATORY FOR THAT AGREEMENT. (City Manager)

Mayor Pro-Tem Mark Muckleroy made a Motion to Approve Resolution No. 24-05 and read the caption in full.

Council Member Paul Davis Seconded the Motion and was passed with

a unanimous vote of the Council.

9. Discussion and Possible Action on using ARPA Grant Funds for Final Pay Request from McInnis Construction in the amount of \$21,569.27 for the Valinda Estates Drainage Improvements Project. (City Manager)

City Manager DeeAnn Zimmerman stated City was suppose to have no expense to the project. Cody Croley with LJA Engineering was suppose to talk with me about the expense since it was not budgeted for. Melinda with Traylor & Associates said we could use ARPA funds to pay for the overage.

City Attorney Solomon Freimuth stated if McInnis done the work and completed it, they must be paid.

Mayor Pro-Tem Mark Muckleroy made a Motion to Approve Pay Request from McInnis Construction in the amount t of \$21,569.27.

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

10. Discussion and Possible Action on TXDOT Letter about Parade process.(City Manager)

City Manager DeeAnn Zimmerman addressed.

Mayor Pro-Tem Mark Muckleroy made a Motion to Table.

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

11. Discussion and Possible Action on Grant Funding for Animal Shelter upgrades and Improvements. (Council Member Paul Davis)

Public Works Director Roger Martin went over budget regarding improvements that have been budgeted for.

City Manager DeeAnn Zimmerman stated that up to \$50,000.00 of ARPA fund can be used for additional improvements.

12. Discussion and Possible Action on setting up on side of City roadways to sell animals. (Council Member Paul Davis)

Council Member Paul Davis asked why do we allow this?

City Attorney Solomon Freimuth stated that the City has a Ordinance they can enforce.

Discussion was held.

Council Member Paul Davis made a Motion for City Attorney to write up something for the sale of animals on roadways.

Council Member William Bass Seconded the Motion and was passed with the following vote: (3-2)

AYES: Council Member Adalaide Balaban, Council Member Paul Davis, and Council Member William Bass.

NAYES: Council Member Roy Gravis and Mayor Pro-Tem Mark Muckleroy

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

VII. 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(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 its

Attorney on matters which the duty of the Attorney to the Governmental Body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with this Chapter.

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

IX. ADJOURN.

Time approximately 8:55 p.m. with no further discussion Mayor Pro-Tem Mark Muckleroy made a Motion to Adjourn.

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

SIGNED: *Danny Reneau*
Danny Reneau, Mayor

ATTEST: *Brooke Steel*
Brooke Steel, Assistant City Secretary