

STATE OF TEXAS)

COUNTY OF HARDIN)

CITY OF SILSBEE)

On this the 18th day of March 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, 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. PRESENTATION OF PROCLAMATION.**
Mayor Danny Reneau Presented Proclamation and read aloud. Child Abuse, April Prevention Month.
- VI. HEARING OF VISITORS.**
None.
- V. DISCUSSION AND POSSIBLE ACTION ON APPROVING THE MINUTES OF FEBRUARY 20, 2024, AND FEBRUARY 26, 2024, MEETINGS. (City Manager)**
Mayor Pro-Tem Mark Muckleroy made a Motion to Approve the February 20th and February 26th minutes.
Council Member Adalaide Balaban 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 MARCH 2024. (City Manager)**
Mayor Pro-Tem Mark Muckleroy made a Motion to Approve Expenditures for March 2024.
Council Member William Bass Seconded the Motion and was passed with a unanimous vote of the Council.
- VII. PUBLIC WORK DIRECTOR'S REPORT.**
 - 1. Update on Public Works Projects.**
Generators on the way, Sewer Rehab started March 15, Valinda Rehab on hold due to sewer line collapse.
 - 2. Update on new Waffle House Coming.**
Gave site plans and been approved and 911 address given.

3. Discussion Mobile Food Trucks.

Turned over to Inspector Silas Clutter. Spoke with health inspector , should have a permit in place in order to keep up with the number of food trucks and if any issues occur.

Council Member Thomas Tyler wants to see minutes from meeting when we addressed Food Truck Permits.

VIII. ITEMS TO BE CONSIDERED.

1. Update from Cody Croley with LJA Engineering on the status of the Texas Water Development Board Drainage Study Grant. (Cody Croley/LJA Engineering)

Cody Croley presented and went over presentation.

2. Discussion and Possible Action on Change Order #1 for the HMGP GLO Generator Project to Gulf Coast Electric for the increased amount of \$16,128.00. (Trey Gaspard/LJA Engineering)

Trey addressed.

Council Member Roy Gravis made a Motion to Table.

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

3. Discussion and Possible Action on Change Order #2 (Reconciliation of quantities) for the APRA Road Project for a total increase of \$21,700.00. (Trey Gaspard/LJA Engineering)

Mayor Pro-Tem Mark Muckleroy made a Motion to Approve Change Order #2 in the amount of \$21,700.00

Council Member Roy Gravis Seconded the Motion.

Council Member Thomas Tyler asked if this covers all punch list, needs them to dress the side of the road. Wants on record to make sure all contractors have all the specs.

Was passed with a unanimous vote of the Council.

**4. Discussion and Possible Action on Resolution No. 24-06
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SILSBEE TEXAS, AUTHORIZING AND APPROVING THE CONTRACT FOR MANAGEMENT SERVICES BETWEEN THE CITY OF SILSBEE TEXAS AND TRAYLOR & ASSOCIATES, INC. FOR PROFESSIONAL SERVICES RELATED TO THE 2023 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT NUMBER CDV23-0295 AND DESIGNATING A SIGNATORY FOR SAID AGREEMENT. (City Manager)**

City Manager DeeAnn Zimmerman stated already been awarded and hired Traylor & Associates.

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

Council Member Paul Davis Seconded the Motion.

Discussion was held.

Was passed with a unanimous vote of the Council.

5. 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 Table Items 5 thru 7.

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

6. 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)

Table.

7. **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)**
Table.
8. **Discussion and Possible Action on Appointing/Re-Appointing a Board Member to the Silsbee Planning & Zoning Board of Commission. Current Board Member/Tamika Stimpson Renfro. (Council Member William Bass)**
Council Member William Bass made a Motion to Re-appoint Tamika Stimpson Renfro.
Council Member Thomas Tyler Seconded the Motion and was passed with a unanimous vote of the Council.
9. **Discussion and Possible Action on Appointing/Re-Appointing a Board Member to the Silsbee Planning & Zoning Board of Commission. Current Board Member/Kathy Merritt. (Council Member Paul Davis)**
Council Member Paul Davis made a Motion to Re-Appoint Kathy Merritt.
Council Member William Bass Seconded the Motion and was passed with a unanimous vote of the Council.
10. **Discussion and Possible Action on Ordinance No. 24-05**
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SILSBEE, TEXAS MODIFYING CHAPTER 6 – ANIMALS TO REFLECT A RESTRICTION ON THE SALE, TRADE, BARTER, LEASE, RENTAL, GIFT, OR DISPLAY FOR COMMERCIAL PURPOSES OF ANY LIVE ANIMAL ON ANY ROADSIDE, PUBLIC RIGHT-OF-WAY, COMMERCIAL PARKING LOT, OR ANY FLEA MARKET WITHIN THE CITY AND PROVIDING AN EFFECTIVE DATE. (City Attorney)
City Attorney Solomon Freimuth addressed.
Council Member Paul Davis made a Motion to Approve Ordinance No. 24-05.
Motion died due to lack of Second.
11. **Discussion and Possible Action on Ordinance No. 24-06**
AN ORDINANCE AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES OF THE CITY OF SILSBEE, TEXAS, WHICH REGULATES ANIMALS IN THE CITY OF SILSBEE; ESTABLISHING A PENALTY FOR VIOLATION; AND PROVIDING AN EFFECTIVE DATE. (City Attorney)
City Attorney Solomon Freimuth recommended Tabling.
Mayor Pro-Tem Mark Muckleroy made a Motion to Table Ordinance No. 24-06.
Council Member Roy Gravis Seconded the Motion and was passed with a unanimous vote of the Council.
12. **Discussion and Possible Action on Dangerous Structure Located at 310 N. 4th Street, Silsbee, Texas. (Public Works Director)**
Public Works Director Roger Martin and City Inspector Silas Clutter addressed. State this building is over 100 years old, building is open in the back and if someone goes into it, it could be very bad.
Mayor Pro-Tem Mark Muckleroy made a Motion to add the building to Dangerous Structure List.
Council Member Roy Gravis Seconded the Motion.
Council Member Paul Davis stated that they should reach out to property owners.
Passed with the following vote: (5-1)

AYES: Mayor Pro-Tem Mark Muckleroy, Council Member Roy Gravis,

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

NAYES: Council Member Thomas Tyler.

13. **Discussion and Possible Action on Bridge on Maxwell and curve at Ave. P. (Council Member Thomas Tyler)**
Council Member Thomas Tyler stated that the bridge is washing out. Mayor Pro-Tem Mark Muckleroy said it all needs to be concreted. Council Member Adalaide Balaban made a Motion to Table. Council Member Paul Davis Seconded the Motion and was passed with a unanimous vote of the Council.
14. **Discussion and Possible Action on purchase of playground equipment at 21st Street Park. (Council Member Thomas Tyler)**
Council Member Thomas Tyler made a Motion to Approve Purchase with approval of ARPA Funds for difference. Council Member Paul Davis Seconded the Motion and was passed with a unanimous vote of the Council.
15. **Discussion and Possible Action on Approving an Addendum to the City's Purchasing Policies and Procedures to ensure compliance with Federal Regulations in accordance with CDBG Program Requirements. (City Manager)**
Mayor Pro-Tem Mark Muckleroy made a Motion to Approve. Council Member Adalaide Balaban Seconded the Motion and was passed with a unanimous vote of the Council.
16. **Discussion and Possible Action to Adopt Financial Policies and Procedures to ensure compliance with Federal Regulations in accordance with CDBG Program Requirements. (City Manager)**
Mayor Danny Reneau read Line Items 16 and 17. Mayor Pro-Tem Mark Muckleroy made a Motion to Approve 16 and 17. Council Member Adalaide Balaban Seconded the Motion and was passed with a unanimous vote of the Council.
17. **Discussion and Possible Action to Adopt Oversight Procedures to ensure compliance with Federal Regulations in accordance with CDBG Program Requirements. (City Manager)**
Mayor Danny Reneau read Line Items 16 and 17. Mayor Pro-Tem Mark Muckleroy made a Motion to Approve 16 and 17. Council Member Adalaide Balaban Seconded the Motion and was passed with a unanimous vote of the Council.
18. **Discussion and Possible Action on Appointing an Election Judge/Alternate Judge for the May 4, 2024, City Election and a Judge of the Early Voting Ballot Board and Appoint a Judge for the Early voting. (City Manager)**
City Manager DeeAnn Zimmerman addressed. Owen Vaughn and Michelle Neely. Mayor Pro-Tem Mark Muckleroy made a Motion to Approve. Council Member Paul Davis Seconded the Motion and was passed with a unanimous vote of the Council.

IX. CONSENT AGENDA ITEMS:

1. **Discussion and Possible Action on Pay Request #3 for the work completed on the ARPA Road Rehab Project by Blacksmith Ventures in the amount of \$40,770.00.**
See Item #3

2. **Discussion and Possible Action on Pay Request #4 (FINAL) Release of Retainage on the APRA Road Rehab Project to Blacksmith Ventures in the amount of \$60,258.50.**

See Item #3

3. **Discussion and Possible Action on Certificate of Construction Completion for the work completed on the APRA Road Rehab Project by Blacksmith Ventures, LLC.**

Council Member Paul Davis made a Motion to approve Consent Items 1 thru 3.

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

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

XI. EXECUTIVE SESSION.

Time approximately 9:30 p.m. Mayor Danny Reneau Motioned to Recess the Open Session into 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.

Time approximately 10:40 p.m. Mayor Danny Reneau Reconvened the Open Session.

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

Mayor Pro-Tem Mark Muckleroy advise City Attorney Solomon Freimuth to move forward with termination of said Waste contract.

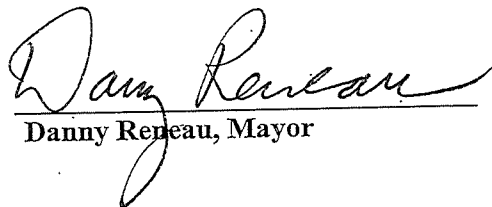
Council Member Thomas Tyler Seconded the Motion and was passed with a unanimous vote of the Council.

XIII. ADJOURN.

Time approximately 10:42 p.m. with no further discussion Mayor Pro-Tem Mark Muckleroy made a Motion to Adjourn

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

SIGNED:


Danny Reneau, Mayor

ATTEST:


Brooke Steel, Assistant City Secretary