

STATE OF TEXAS        )(

COUNTY OF HARDIN    )(

CITY OF SILSBEE       )(

On this the 16th day of October 2023 at 6:00 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 6:00 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.**

None.

**IV. DISCUSSION AND POSSIBLE ACTION ON APPROVING THE MINUTES OF SEPTEMBER 14, 2023, AND SEPTEMBER 18, 2023 MEETINGS. (City Manager)**

Mayor Pro-Tem Mark Muckleroy made a Motion to Approve the September 14 and September 18, 2023 Minutes.

Council Member Roy Gravis 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 OCTOBER 2023. (City Manager)**

Mayor Pro-Tem Mark Muckleroy made a Motion to Approve the October 2023 Expenditures.

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

**VI. CITY MANAGER'S REPORT.**

**1. Quarterly Investment Report.**

City Manager DeeAnn Zimmerman with over interest earned for the General Fund, Water & Sewer Fund, W&S Energy Conservation Project.

**2. Update on Pending Grant Awarding.**

City Manager DeeAnn Zimmerman updated Council on pending grant.

FEMA picked up Timberlane and Hendricks. Both are a 10% match. Going to ask the County if it is possible for them to cover match for Hendricks since it was picked up in their grant or choose another project in the City Limits.

## VII. PUBLIC WORK DIRECTOR'S REPORT.

### 1. Update on Streets, Lift Station, and Generators.

Public Works Director Roger Martin addressed streets will begin Oct. 23, Lift Station project is still ongoing, and Oct. 18 Pre-Construction Meeting for the Generators.

### 2. Update with Meeting with Via Rail Engineering, (Roosevelt Drive, Old 418 Road).

Public Works Director Roger Martin addressed met with railroad company on Oct. 9<sup>th</sup>. Revamping track all the back to the yard, reached out to Entergy for lighting.

City Attorney Solomon Freimuth will look over when they send what they want to do at crossings.

## VIII. ITEMS TO BE CONSIDERED.

### 1. Presentation and discussion with Sonny Hubbard, Live Oak Waste (formerly Piney Woods Sanitation).

No show- Mike Ex- Pineywoods employee showed.

### 2. Discussion and Possible Action on Ordinance No. 23-09 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SILSBEE, TEXAS, "CHAPTER 14, ARTICLE II, FIRE DEPARTMENT" TO REMOVE LANGUAGE CREATING A SILSBEE FIRE DEPARTMENT BY THE CITY. SECOND READING. (City Attorney)

Council Member Roy Gravis made a Motion to Approve Ordinance No. 23- 09 and read caption in full.

Mayor Pro-Tem Mark Muckleroy 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

### 3. Discussion and Possible Action on Ordinance No. 23-10 AN ORDINANCE REGULATING THE SPEED ON STATE MAINTAINED HIGHWAYS IN THE CITY OF SILSBEE, HARDIN COUNTY, TEXAS, PROVIDING A PENALTY AND REPEALING ALL OTHER ORDINANCES IN CONFLICT THEREWITH. (City Attorney)

City Attorney Solomon Freimuth addressed, we asked TxDot for study. They came back with these results. Told that Mayor Pro-Tem Mark Muckleroy request need to be done.

Council Member Thomas Tyler made a Motion to Table Ordinance No. 23-10.

Council Member Roy Gravis Seconded the Motion.

Council Member Adalaide Balaban stated we should take advise of the City Attorney.

Mayor Pro-Tem Mark Muckleroy made a Motion to Accept Ordinance No. 23-10.

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

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

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

**4. Discussion and Possible Action on Approval of LJA Engineering to begin Advertising of the Valinda Estates GLO Road Rehab Project. (City Manager)**

Council Member Roy Gravis made a Motion to Approve LJA Engineering to begin advertising.

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

**5. Discussion and Possible Action on giving HCESD #6 free water services and returning their taps fees. (Mayor Danny Reneau)**

Mayor Danny Reneau addressed.

City Attorney Solomon Freimuth stated we need an Agreement with HCESD#6.

Mayor Pro-Tem Mark Muckleroy made a Motion to refund Tap Fee pending Interlocal Agreement.

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

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

**NAYES:** Council Member Thomas Tyler and Council Member Paul Davis.

**6. Discussion and Possible Action on Resolution No. 23-37  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SILSBEE TEXAS, DECLARING A DANGEROUS STRUCTURE UPON A CERTAIN TRACT ALONG RED CUT ROAD AND ORDERING ITS DEMOLITION. (City Attorney)**

City Attorney Solomon Freimuth addressed .

Council Member Adalaide Balaban made a Motion to Approve Resolution No. 23-37 and read the caption in full.

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

**7. Discussion and Possible Action on Changing the time of the Council Meetings to 7:00 p.m. (Council Member Roy Gravis)**

Council Member Adalaide Balaban stated City workers are already here working 8 hours, Council knew what time meetings started and doesn't think time should be changed.

Council Member Paul Davis made a Motion to change City Council, EDC, and Public Hearings to 6:30 p.m. with a 15-minute window to wait for a quorum.

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

**AYES:** Council Member Paul Davis, Council Member Roy Gravis, and Council Member Thomas Tyler.

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

**TIE:** Mayor Danny Reneau vote: AYE

**8. Discussion and Possible Action on Approving the FY 23-24 Public Funds Investment Policy. (City Manager)**

City Manager DeeAnn Zimmerman addressed, same policy every year nothing has changed other than where we invest.

Mayor Pro-Tem Mark Muckleroy made a Motion to Approve the FY 23-24 Public Funds Investment Policy.

Council Member William Bass 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.**

None.

**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.**

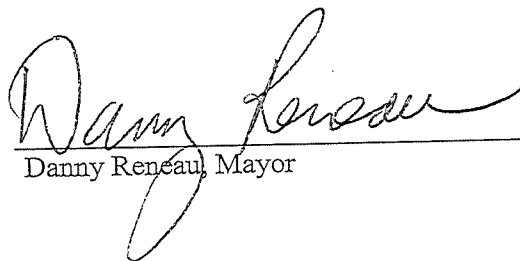
Not Held.

**XII. ADJOURN.**


Time approximately 7:27 with no further discussion Mayor Pro-Tem Mark Muckleroy made a Motion to Adjourn.

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

SIGNED:

  
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Danny Reneau, Mayor

ATTEST:

  
\_\_\_\_\_  
Brooke Steel, Assistant City Secretary