

STATE OF TEXAS)(

COUNTY OF HARDIN)(

CITY OF SILSBEE)(

On this the 16th day of September 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 Tina Holman, 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 7:30 p.m. Mayor Danny Reneau asked for a roll call and stated that a quorum was present.

II. PLEDGE AND INVOCATION.

Skipped.

III. HEARING OF VISITORS.

None.

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

Council Member Roy Gravis made a Motion to approve the September 2024 Expenditures.

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

IV. DISCUSSION AND POSSIBLE ACTION ON APPROVING THE MINUTES SEPTEMBER 3, 2024, MEETING.

Council Member Roy Gravis made a Motion to approve the September 3, 2024 Minutes.

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

VI. PUBLIC WORK'S DIRECTORS REPORT.

1. Update on Valinda Estate Road Project.

Public Works Director Roger Martin addressed that Valinda Estate is finished. Levy seeped through the road, Calin with LJA Engineering helped us save \$60,000.00 on this project.

VII. CONSENT AGENDA ITEMS.

1. Discussion and Possible Action on Approving Pay Request No. 1 from Texas Pride Utilities, LLC in the amount of 121,118.40 for the SCATA Sewer Rehab Project #B-837-1016.

2. **Discussion and Possible Action on Approving Pay Request No. 2 from Apek Construction, LLC in the amount of \$218,050.96 for the GLO-CDBG-DR Harvey Round 1 Valinda Estate Roadway Improvement Grant No. 20-065-102-C275.**
3. **Discussion and Possible Action on Approving Invoice No. 10376 from Traylor & Associates in the amount of \$725.00 for the 2023 TxCDBG Sewer Improvement Project. (Local Funds)**
4. **Discussion and Possible Action on Approving Invoice No. 10453 from Traylor & Associates in the amount of \$725.00 for the 2023 TxCDBG Sewer Improvement Project. (Local Funds)**
 Council Member Roy Gravis made a Motion to approve to Consent Agenda Items 1 thru 4.
 Council Member Paul Davis Seconded the Motion and was passed with a unanimous vote of the Council.

VIII. ITEMS TO BE CONSIDERED.

1. **Discussion and Possible Action on request of Street Closure from Ave G and 4th Street stop sign to 4th Street and Railroad tracks. Then Ave H and 4th Street stop sign to Ave H and 3rd Street and 3rd Street to Railroad tracks. (Melissa Smart/Chambers Director)**
 Chamber Director Melissa Smart addressed this is the Annual Chili Cook off.
 Council Member Roy Gravis made a Motion to Approve Street Closure.
 Council Member William Bass Seconded the Motion and was passed with a unanimous vote of the Council.
2. **Discussion and Possible Action on Resolution No. 24-18**
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SILSBEE, TEXAS AUTHORIZING THAT THE SILSBEE ECONOMIC DEVELOPMENT CORPORATION PROVIDE FINANCIAL ASSISTANCE TO LANDERS WEAPONS SYSTEMS LLC IN THE TOTAL AMOUNT OF \$13,458.00, AUTHORIZING THE EXECUTION OF A PERFORMANCE AGREEMENT SETTING OUT THE TERMS OF THAT FINANCIAL ASSISTANCE, AND RECOGNIZING THAT THE LEGAL REQUIREMENTS FOR PROVISION OF SUCH FINANCIAL ASSISTANCE HAVE BEEN OBSERVED. (SECOND READING)
 Council Member Paul Davis made a Motion to Approve Resolution No. 24-18 and read caption in full.
 Council Member Roy Gravis Seconded the Motion and was passed with the following vote: (4-1)

AYES: Council Member Tina Holman, Council Member Roy Gravis, Council Member Paul Davis, and Council Member William Bass.

NAYES: Mayor Pro-Tem Mark Muckleroy
3. **Discussion and Possible Action on Resolution No. 24-20**
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SILSBEE, TEXAS, AUTHORIZING AMENDMENT NUMBER 2, AN INCREASE OF TOTAL GRANT FUNDING BY \$37,390.00, TO THE ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT EXECUTED ON SEPTEMBER 8, 2023, BETWEEN THE ICEHOUSE MUSEUM AND THE CITY OF SILSBEE. (City Manager)
 Pass.

4. **Discussion and Possible Action on Approving Change Order Request No. 1 (Final) for the GLO CDBG-DR Hurricane Harvey Round 1 Valinda Estates Roadway Improvements GLO Grant No. 20-065-102-C275. (Jeff Scroggins/LJA Engineering)**
Calvin with LJA Engineering request Mayor Danny Reneau to read Line Item 4 thru 6 all together since they all go together. Went over with Council.

5. **Discussion and Possible Action on Approving Certificate of Construction Completion for the GLO CDBG-DR Hurricane Harvey Round 1 Valinda Estates Roadway Improvements GLO Grant No. 20-065-102-C275. (Jeff Scroggins/LJA Engineering)**
Calvin with LJA Engineering said this is 2nd step for Close out of Project and contracts did a good job.
See Line Item #6.

6. **Discussion and Possible Action on Approving Pay Request No. 3 (Final) in the amount of \$30,038.01 to APEK Construction, LLC, for the GLO CDBG-DR Hurricane Harvey Round 1 Valinda Estates Roadway Improvements GLO Grant No. 20-065-102-C275. (Jeff Scroggins/LJA Engineering)**
Calvin with LJA Engineering stated this was the 3rd step final release of retainage left of Project.
Council Member Paul Davis made a Motion to Approve Line Items 4 thru 6. Council Member Roy Gravis Seconded the Motion and was passed with a unanimous vote of the Council.

7. **Discussion and Possible Action on Ordinance No. 24-09**
AN ORDINANCE OF THE CITY OF SILSBEE, TEXAS, AMENDING THE CODE OR ORDINANCES BY AMENDING CHAPTER 38, TO ADD ARTICLE VI MUNICIPAL DRAINAGE UTILITY SYSTEM, TO ESTABLISH A MUNICIPAL DRAINAGE UTILITY SYSTEM; PROVIDING FOR DRAINAGE SERVICE, BILLING, EXEMPTIONS, DRAINAGE CHARGES AND APPEALS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A CRIMINAL PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING FOR AN EFFECTIVE DATE.
Mayor Pro-Tem Mark Muckleroy made a Motion to Approve Ordinance No. 24-09 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.

8. **Discussion and Possible Action on Ordinance No. 24-11**
AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SILSBEE, TEXAS, APPROVING AND ADOPTING THE BUDGET FOR SAID CITY, AS PREPARED AND SUBMITTED BY THE CITY MANAGER OF SAID CITY, SUCH BUDGET COVERING THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025. (City Manager)
Council Member Roy Gravis made a Motion to Approve Ordinance No. 24-11 and read caption in full waving the second reading.
Council Member Tina Holman Seconded the Motion and was passed with a unanimous vote of the Council.

9. **Discussion and Possible Action on Ordinance No. 24-12**
AN ORDINANCE LEVYING TAXES FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF SILSBEE, TEXAS; APPORTIONING SUCH LEVY INTO 2 COMPONENTS; LEVYING SALES AND USE TAX IN THE CITY OF SILSBEE; SETTING UP A SCHEDULE OF PENALTIES AND INTEREST FOR DELINQUENT TAXES; SETTING THE DELINQUENT RATE;

SETTING ADDITIONAL PENALTY TO DEFRAY COSTS OF COLLECTION OF DELINQUENT TAXES. (City Manager)

Council Member made a Motion to Approve Ordinance No. 24-12 and read caption in full waving the second reading.

Council Member Tina Holman Seconded the Motion and was passed with a unanimous vote of the Council.

10. Discussion and Possible Action on Resolution No. 24-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SILSBEE, TEXAS, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE REGION 8 EDUCATION SERVICE CENTER AND THE CITY OF SILSBEE, TEXAS, FOR THE PROVISION OF COOPERATIVE PURCHASING SERVICES THROUGH THE INTERLOCAL PURCHASING SYSTEM (TIPS) PROGRAM.

(City Manager)

Mayor Pro-Tem made a Motion to Approve Resolution No. 24-21 and read caption in full.

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

11. Discussion and Possible Action on Resolution No. 24-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SILSBEE, TEXAS, AUTHORIZING CASTING THE BALLOT FOR THE TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL BOARD OF TRUSTEES ELECTION. (City Manager)

Council Member Roy Gravis made a Motion to Approve Resolution No. 24-22 and read caption in full.

Motion died due to lack of Second,

Mayor Pro-Tem Mark Muckleroy made a Motion to vote and go by vote majority votes casted by Council.

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.

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 8:30 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 Rénéau
Danny Rénéau, Mayor

ATTEST: Brooke Steel
Brooke Steel, Assistant City Secretary