

MINUTES OF THE CROCKETT CITY COUNCIL MEETING HELD ON THE 6<sup>th</sup> DAY OF JUNE 2022 IN THE CITY HALL COUNCIL CHAMBERS, LOCATED AT 200 NORTH FIFTH IN THE CITY OF CROCKETT, HOUSTON COUNTY TEXAS AT 6:00 P.M.

THE COUNCIL MET IN REGULAR SESSION WITH THE FOLLOWING MEMBERS PRESENT: IANTHIA FISHER, GENE CALDWELL, ERNEST JACKSON, MARQUITA BEASLEY & MIKE MARSH. CITY OFFICIALS PRESENT: CITY ADMINISTRATOR JOHN ANGERSTEIN, CITY SECRETARY MITZI STEFKA, POLICE CHIEF CLAYTON SMITH AND FIRE CHIEF JASON FRIZZELL. DARRELL JONES NOT PRESENT.

OPEN MEETING WITH INVOCATION AND PLEDGE

Mayor Fisher called the formal session open. Council member Jackson gave the invocation and all joined in the pledge.

RECOGNITION OF VISITORS

Mayor Fisher recognized all visitors present.

COMMENTS FROM AUDIENCE OR COUNCIL *(At this time, anyone will be allowed to speak on City related matters only; no personnel matters or matters under litigation will be allowed. The length of time may not exceed three minutes. NO Council discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.)*

- Sherald Wood – concerns about financial matters and code violations with Crockett Economic & Industrial Development Corporation
- Craig Hopkins – concerns about handling of funds and loans with CEIDC
- Anthony Shuttlesworth – concerns about handling of funds and issues of FOIA requests with CEIDC
- Chari Shuttlesworth – concerns about financial matters and checks with CEIDC
- Virginia Lewis – concerns with debt and accounts incurred by CEIDC
- Dianne Rhone – concerns with violations of Texas Open Meeting Act with CEIDC

Council member Caldwell stated that due to these allegations, a special meeting should be called to discuss ordering a forensic audit of the Crockett Economic & Industrial Development Corporation. Mayor Pro Tem Marsh suggested putting this item on the next agenda. Council member Beasley stated this needs to be put on the agenda. Mayor Pro Tem Marsh made a motion to have an agenda item placed on the next meeting to discuss and vote for a third-party forensic audit of Crockett Economic & Industrial Development Corporation. Council member Caldwell seconded the motion. Motion passes 4-0.

1. APPROVAL OF MINUTES: REGULAR MEETING: MAY 16, 2022 AND SPECIAL MEETING: MAY 19, 2022

Council member Beasley made a motion to approve the minutes of the May 16, 2022 Regular Meeting and May 19, 2022 Special Meeting. Council member Jackson seconded the motion. Motion passes 4-0.

2. CITY ADMINISTRATOR'S REPORT

Mr. Angerstein updated council on the work and projects going on in the city: E. Goliad and E. Houston – new water lines – this project will be time consuming because of the extent of repairs and replacements of those lines. Council will be updated as the project progresses. Fifth Street will be re-paved this week and be completed soon. The swimming pool bids came in well over budget. There will be a rebid process and have construction delayed until the fall. Mayor Fisher stated she is grateful for the work being done and thanked Mr. Angerstein for his hard work.

3. CONSIDER AND APPROVE A RESOLUTION BY THE CITY OF CROCKETT (“CITY”) SUSPENDING ONCOR ELECTRIC DELIVERY COMPANY LLC’S PROPOSED EFFECTIVE DATE OF JUNE 17, 2022, FOR NINETY DAYS IN CONNECTION WITH ONCOR’S STATEMENT OF INTENT TO INCREASE RATES FILED ON OR ABOUT MAY 13, 2022; REQUIRING THE REIMBURSEMENT OF MUNICIPAL RATE CASE EXPENSES; AUTHORIZING PARTICIPATION IN THE COALITION OF SIMILARLY SITUATED CITIES; AUTHORIZING INTERVENTION AND PARTICIPATION IN RELATED RATE PROCEEDINGS; AUTHORIZING THE RETENTION OF SPECIAL COUNSEL; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE

Mayor Pro Tem Marsh made a motion to approve a Resolution by the City of Crockett (“City”) suspending Oncor Electric Delivery Company LLC’s proposed effective date of June 17, 2022, for ninety days in connection with Oncor’s statement of intent to increase rates filed on or about May 13, 2022; requiring the reimbursement of municipal rate case expenses; authorizing participation in the coalition of similarly situated cities; authorizing intervention and participation in related rate proceedings; authorizing the retention of special counsel; finding that the meeting complies with the Open Meetings Act; making other findings and provisions related to the subject; and declaring an effective date. Council member Jackson seconded the motion. Motion passes 4-0.

4. CONSIDER AND APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CROCKETT, SELECTING AN ENGINEERING/ARCHITECT FIRM IN CONJUNCTION WITH THE SUBMITTAL OF AN APPLICATION FOR FUNDING THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE (TDA) FOR THE TEXAS COMMUNITY BLOCK GRANT PROGRAM – DOWNTOWN REVITALIZATION PROGRAM FUND (CDBG-DRP)

Mr. Angerstein noted that two sealed qualification packages were received; KSA Engineers and SPI Engineers. The evaluation team met and recommends awarding the contract to KSA Engineers. Council member Caldwell made a motion to approve a Resolution of the City Council of the City of Crockett, selecting an Engineering/Architect Firm in conjunction with the submittal of an application for funding through the Texas Department of Agriculture (TDA) for the Texas Community Block Grant Program- Downtown Revitalization Program Fund (CDBG-DRP) to be KSA Engineers. Mayor Pro Tem Marsh seconded the motion. Motion passes 4-0.

5. CONSIDER AND APPROVE SUBMITTED CHECK PROCESSING PROCEDURE FROM THE CROCKETT ECONOMIC AND INDUSTRIAL DEVELOPMENT CORPORATION

Mr. Gentry stated this procedure is currently in place and has been approved by Mr. Pemberton and the Economic & Industrial Development Board Members. Council member Jackson made a motion to approve the check processing procedure from the Crockett Economic and Industrial Development Corporation. Council member Beasley seconded the motion. Motion passes 4-0.

6. CONSIDER AND APPROVE APPOINTMENT OF BOARD MEMBER/S AND OR EX-OFFICIO MEMBER/S TO CROCKETT ECONOMIC & INDUSTRIAL DEVELOPMENT CORPORATION

Mayor Fisher stated her recommendation for Ex-Officio member is Calvin Hawkins. Council member Caldwell inquired as to the requirements and interview process. Mayor Fisher explained there is an application that is filled out before consideration. Council member Jackson made a motion to approve Calvin Hawkins as Ex-Officio member to Crockett Economic & Industrial Development Corporation. Council member Beasley seconded the motion. Mayor Pro Tem Marsh and Council member Caldwell voted against the motion. Vote is 2-2. Mayor Fisher voted for the motion to break the tie. Motion passes 3-2.

Mayor Fisher recommends Elizabeth Guzman as a new member to the Board. Council member Caldwell ask if council should be interviewing new members. Mayor Fisher stated it is by her recommendation. Council member Jackson made a motion to approve Elizabeth Guzman as a new board member to Crockett Economic & Industrial Development Corporation. Council member Beasley seconded the motion. Motion passes 4-0.

ADDENDUM

1. CONSIDER AND APPROVE AN ORDINANCE AMENDING APPENDIX A, ZONING, OF THE CROCKETT CODE, AMENDING SUB-SECTION D, SPECIFIC USE PERMIT PROCEDURE, OF SECTION 303, TO ALLOW FOR OPPOSITION TO SPECIFIC USE PERMITS BY PROPERTY OWNERS WHOSE LANDS ARE LYING WITHIN 200 FEET OF THE SITE WHERE SPECIFIC USE PERMIT IS SOUGHT AND TO REQUIRE A THREE-FOURTHS MAJORITY VOTE OF THE CITY COUNCIL IN SUCH EVENT; AMENDING SECTION 603 TO PROVIDE FOR NOTICE TO OWNERS OF LAND WITHIN 200 FEET OF THE PROPERTY FOR WHICH THE PROPOSED CHANGE IS SOUGHT; AMENDING SUB-SECTION D, AMENDMENTS TO THE ZONING MAP AND TEXT, OF SECTION 605; TO REQUIRE A THREE-FOURTHS MAJORITY VOTE BY CITY COUNCIL WHEN A PROPOSED AMENDMENT TO THE ZONING MAP OR TEXT IS OPPOSED BY OWNERS OF LAND WITHIN 200 FEET OF THE SITE FOR WHICH THE ZONING CLASSIFICATION CHANGE IS SOUGHT; PROVIDING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE

Council member Jackson made a motion to approve an Ordinance amending Appendix A, Zoning, of the Crockett Code, amending Sub-Section D, specific use permit procedure, of section 303, to allow for opposition to specific use permits by property owners whose lands are lying within 200 feet of the site where specific use permit is sought and to require a three-fourths majority vote of the City Council in such event; amending Section 603 to provide for notice to owners of land within 200 feet of the property for which the proposed change is sought; amending Sub-Section D, amendments to the zoning map and text, of section 605; to require a three-fourths majority vote by City Council when a proposed amendment to the zoning map or text is opposed by owners of land within 200 feet of the site for which the zoning classification change is sought; providing a severability clause; containing a repealing clause; and providing an effective date with the notification requirements being changed from 300 feet to 200 feet only when a proposed change to a zoning classification affects property within the C-3 district. All other zoning classification changes will still require notification of property owners within 300 feet of the affected property. Council member Caldwell seconded the motion. Motion passes 4-0.

2. **CONSIDER AND APPROVE AN ORDINANCE AMENDING APPENDIX A, ZONING, OF THE CROCKETT CODE, ADDING SECTION 310 TO PROVIDE REGULATION FOR SHORT TERM RENTALS; DEFINING SHORT-TERM RENTALS; PROVIDING FOR SHORT-TERM RENTAL PERMITS, REGISTRATION FEES AND APPLICATIONS; PROVIDING SHORT-TERM RENTAL OPERATIONAL REQUIREMENTS; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

Council member Beasley made a motion to approve an Ordinance amending Appendix A, Zoning, of the Crockett Code, adding Section 310 to provide regulation for short term rentals; defining short-term rentals; providing for short-term rental permits, registration fees and applications; providing short-term rental operational requirements; providing a penalty; providing a severability clause; containing a repealing clause; and providing an effective date. Council member Caldwell seconded the motion. Motion passes 4-0.

## ADJOURNMENT

Without objection, Mayor Fisher adjourned the meeting at 7:06 P.M.

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Dr. Ianthia Fisher, Mayor

ATTEST:

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Mitzi Stefka, City Secretary