

MINUTES OF THE CROCKETT CITY COUNCIL MEETING HELD ON THE 21<sup>ST</sup> DAY OF AUGUST 2023 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, DENNIS IVEY, DARRELL JONES, 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.

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.)*

- Rev. Harry Fred Scott – Respect one another
- Natrenia Hicks – Concerns about Item #10 - CEIDC board members have not had a meeting since suspension; board members are being denied rights to legal counsel according to the bylaws and being retaliated against because of a letter sent to the city attorney.
- Joe Don James – Concerns about ten-year tax abatements
- Council Member Darrell Jones – A few weeks ago two of my family members' houses burned down, in talking to the Fire Chief, he said there was not enough manpower for both fires and then just earlier, my sister's house caught fire and luckily there was enough manpower. The council needs to work on the fire department; next time it could be one of your houses. Councilman Jones then stated that Mr. Bowlin was correct in stating that city council cannot do anything with the Economic Development according to bylaws. Council has been misguided, there is a 75-page lawsuit at the courthouse filed against the city right now. The very things council is trying to do right now will come back to haunt you; I am for what's right so I will not vote for anything tonight that has to do with it. Mr. Jones continued "Mayor, John, Mr. Marsh and Mr. Gene, you are listed in the lawsuit, why are council members listed in a lawsuit? Mr. Ivey, allegedly there is a lawsuit fixing to be filed against you." As council members, let's do the right thing.

1. SPECIAL SESSION: JULY 17, 2023 AND REGULAR SESSION: AUGUST 7, 2023

Mayor Pro Tem Marsh made a motion to approve the minutes of the July 17, 2023 Special session and August 7, 2023 Regular session. Council member Jackson seconded the motion. Motion passes 5-0.

2. U.S. ECONOMIC DEVELOPMENT ADMINISTRATION DISASTER SUPPLEMENTAL GRANT PROJECT

Mr. Angerstein presented an update to the EDA grant project in Southwest Crockett and explained the causes & solutions to the sulphate issues affecting S. 5<sup>th</sup> Street. Completion of repairs on S. 5<sup>th</sup> Street is expected to take at least six more months.

3. POLICE DEPARTMENT MANPOWER & CRIMINAL INCIDENT REPORT FOR JULY 2023

Chief Smith reported for the month of July 2023: 15 total manpower, 2,795 total manpower hours, 450 total calls and 5 total accidents. A breakdown of the criminal reports is included in the packet.

4. FIRE DEPARTMENT MONTHLY ACTIVITY & STATUS REPORT FOR JULY 2023

Fire Chief Frizzell reported for the month of July 2023 the following: 39 total calls. A breakdown is included in the packet. Chief Frizzell and council discussed the manpower issues with the department.

5. PUBLIC HEARING ON PROPOSED BUDGET OF THE CITY OF CROCKETT FOR THE 2023-2024 FISCAL YEAR

Mayor Fisher opened the public hearing. Mr. Angerstein informed the council that the proposed budget had been made available to the public at city hall and on our website with no comments being made. With no comments from the audience, Mayor Fisher closed the public hearing.

6. CONSIDER AND APPROVE AN ORDINANCE MAKING APPROPRIATION FOR THE SUPPORT OF THE CITY OF CROCKETT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023 AND ENDING SEPTEMBER 30, 2024; APPROPRIATING MONEY TO SINKING FUND TO PAY INTEREST AND PRINCIPAL DUE ON THE CITY'S INDEBTEDNESS; AND ADOPTING THE ANNUAL BUDGET OF THE CITY OF CROCKETT FOR FISCAL YEAR 2024

Mayor Pro Tem Marsh made a motion to approve an Ordinance making appropriation for the support of the City of Crockett for the fiscal year beginning October 1, 2023 and ending September 30, 2024; appropriating money to sinking fund to pay interest and principal due on the city's indebtedness; and adopting the annual budget of the City of Crockett for fiscal year 2024. Council member Jackson seconded the motion. Motion passes 5-0.

7. PUBLIC HEARING ON 2023 TAX RATE

Mayor Fisher opened the public hearing. Mr. Angerstein explained that the proposed budget is based on keeping our existing tax rate of \$0.6813/\$100 and would bring in an additional \$51,000 over last year due to an increase in taxable property values. There were no objections from the public and Mayor Fisher closed the public hearing.

8. CONSIDER AND APPROVE AN ORDINANCE LEVYING AD VALOREM TAXES FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF CROCKETT FOR FISCAL YEAR 2024; PROVIDING FOR APPORTIONING EACH LEVY FOR SPECIFIC PURPOSES; AND PROVIDING WHEN TAXES SHALL BECOME DUE AND WHEN SAME BECOME DELINQUENT IF NOT PAID

Council member Beasley made a motion to approve an ordinance levying ad valorem taxes for use and support of the municipal government of the City of Crockett for fiscal year 2024; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same become delinquent if not paid. Mayor Pro Tem Marsh seconded the motion. Motion passes 5-0.

9. CONSIDER AND APPROVE 2023 TAX ROLL

Mayor Pro Tem Marsh made a motion to approve the 2023 Tax Roll. Council member Jones seconded the motion. Motion passes 5-0.

10. CONSIDER AND APPROVE REMOVING ONE OR MORE MEMBERS OF THE CROCKETT ECONOMIC & INDUSTRIAL DEVELOPMENT CORPORATION BOARD OF DIRECTORS

Mayor Fisher explained that three members of the CEIDC Board of Directors signed a letter addressed to the City of Crockett, which constitutes an illegal meeting under the Texas Open Meetings Act. Mr. Jones stated, "Mayor, it was my understanding there was no meeting. I think one of the members went to them individually. It is in the bylaws that they can have an attorney, but the council is ignoring it." The mayor indicated this action was not related to the bylaws, but to the violation of the Texas Open Meetings Act. Producing a document signed by a quorum of the CEIDC board outside of a stated public meeting is a violation of the Act. Also, the CEIDC board members were suspended from taking any actions during the suspension. Council member Jones stated that if you don't follow what the bylaws say then you're breaking that. Council member Ivey stated to clarify, this is a violation of the Open Meetings Act and would trump anything else. Council member Jackson stated that the board was suspended and was not to act in any matter. A document was generated and three of the members signed the document. There were to be no activities. Mayor Pro Tem Marsh made a motion to remove the three (3) CEIDC board members who signed a document in violation of the Texas Open Meetings Act. {Robert Thompson, Natrenia Hicks, and Elizabeth Guzman.} Council member Jackson seconded the motion. Motion passes 3-2. Council members Jones and Beasley voted against the motion. Mayor Fisher stated a notification would be sent to the three members.

11. CONSIDER AND APPROVE AWARDED BID FOR PAINTING CIVIC CENTER AWNING, AG ARENA AWNING AND PARK PAVILION

Mr. Angerstein explained that the city received two (2) responses to the request for proposals to repaint the awnings of the civic center and ag arena and the park pavilion.

- Shoemake Welding
  - Civic Center Awning - \$24,500
  - Ag Arena Awning - \$22,500
  - Park Pavilion - \$38,000
    - Total - \$85,000
  
- Lucas Roofing
  - Civic Center Awning - \$6,980
  - Ag Arena Awning - \$16,582
  - Park Pavilion - \$54,298
    - Total - \$77,860

Council member Beasley made a motion to award the bid for painting the civic center awning, ag arena awning and park pavilion to Lucas Roofing. Mayor Pro Tem Marsh seconded the motion. Motion passes 5-0.

**12. CONSIDER AND APPROVE MEMBERS TO THE KEEP CROCKETT BEAUTIFUL COMMITTEE**

Scott Sheley presented four (4) potential members to council for approval to the Keep Crockett Beautiful Committee. {Joni Clonts, Corey Simon, Jr, Victoria Medel and Joseph Tuggle.} Council member Beasley made a motion to approve the members to the Keep Crockett Beautiful Committee. Council member Jones seconded the motion. Motion passes 5-0.

**13. PUBLIC HEARING ON REDESIGNATING THE CROCKETT ENTERPRISE ZONE, PURSUANT TO CHAPTER 2303 OF THE TEXAS GOVERNMENT CODE**

Mayor Fisher opened the public hearing. Mr. Angerstein explained that with each ten-year federal census, cities receive new demographic data and can designate enterprise zones to allow greater access to state funds for incentives and abatements for businesses in low/moderate income areas. Enterprise zones are necessary for cities to move ahead with incentive and/or abatement agreements with new businesses. With no objections from the audience, Mayor Fisher closed the public hearing.

**14. CONSIDER AND APPROVE AN ORDINANCE OF THE CITY OF CROCKETT, TEXAS NOMINATING AN AREA OF THE CITY OF CROCKETT PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT (TEXAS GOVERNMENT CODE, CHAPTER 2303); PROVIDING TAX INCENTIVES; DESIGNATING AN AUTHORIZED REPRESENTATIVE TO ACT IN ALL MATTERS PERTAINING TO THE NOMINATION AND DESIGNATION OF THE AREA DESCRIBED HEREIN AS AN ENTERPRISE ZONE; AND FURTHER DESIGNATING A LIAISON TO ACT ON ALL MATTERS PERTAINING TO THE ENTERPRISE ZONE ACT ONCE DESIGNATED BY THE TEXAS DEPARTMENT OF ECONOMIC DEVELOPMENT**

Mayor Pro Tem Marsh made a motion to approve an ordinance of the City of Crockett, Texas nominating an area of the City of Crockett pursuant to the Texas Enterprise Zone Act (Texas Government Code, Chapter 2303); providing tax incentives; designating an authorized representative to act in all matters pertaining to the nomination and designation of the area described herein as an enterprise zone; and further designating a liaison to act on all matters pertaining to the Enterprise Zone Act once designated by the Texas Department of Economic Development. Council member Jackson seconded the motion. Motion passes 5-0.

15. PUBLIC HEARING ON DESIGNATING A REINVESTMENT ZONE, DESIGNATED AS REINVESTMENT ZONE NUMBER ONE OF THE CITY OF CROCKETT, TEXAS, PURSUANT TO THE TAX INCREMENT FINANCING ACT, CHAPTER 311 OF THE TEXAS TAX CODE

Mayor Fisher opened the public hearing. Mr. Angerstein explained that in the Texas Tax Increment Financing Act, a city must designate a reinvestment zone to provide cash incentives within a performance agreement with businesses. It also allows businesses to receive rebates on sales taxes paid to the state. With no objections from the audience, Mayor Fisher closed the public hearing.

16. CONSIDER AND APPROVE AN ORDINANCE OF THE CITY OF CROCKETT, TEXAS NOMINATING AN AREA OF THE CITY OF CROCKETT AS A REINVESTMENT ZONE PURSUANT TO THE TEXAS TAX INCREMENT FINANCING ACT (TEXAS TAX CODE, CHAPTER 311); NAMING THE ZONE; DESIGNATING THE AREA DESCRIBED HEREIN AS A REINVESTMENT ZONE; CREATING A BOARD OF DIRECTORS OF THE ZONE; SPECIFYING THE NUMBER OF DIRECTORS OF THE BOARD; PROVIDING THAT THE ZONE TAKES EFFECT IMMEDIATELY ON PASSAGE OF THIS ORDINANCE; PROVIDING A DATE FOR TERMINATION OF THE ZONE; ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; FINDING THAT IMPROVEMENTS IN THE ZONE WILL SIGNIFICANTLY ENHANCE THE VALUE OF REAL PROPERTY IN THE ZONE, THAT THE ZONE WILL BE OF GENERAL BENEFIT TO THE CITY AND THAT THE ZONE MEETS THE REQUIREMENTS OF SECTION 311.005 OF THE TEXAS TAX CODE

Council member Jones made a motion to approve an ordinance of the City of Crockett, Texas nominating an area of the City of Crockett as a reinvestment zone pursuant to the Texas Tax Increment Financing Act (Texas Tax Code, Chapter 311); naming the zone; designating the area described herein as a reinvestment zone; creating a board of directors of the zone; specifying the number of directors of the board; providing that the zone takes effect immediately on passage of this ordinance; providing a date for termination of the zone; establishing a tax increment fund for the zone; finding that improvements in the zone will significantly enhance the value of real property in the zone, that the zone will be of general benefit to the city and that the zone meets the requirements of Section 311.005 of the Texas Tax Code. Council member Beasley seconded the motion. Motion passes 5-0.

ADJOURNMENT

Without objection, Mayor Fisher adjourned the meeting at 7:41 P.M.

\_\_\_\_\_  
Dr. Ianthia Fisher, Mayor

ATTEST:

\_\_\_\_\_  
Mitzi Stefka, City Secretary