Special Meeting Minutes—City of Plantersville

September 12, 2024

The Board of Aldermen of the City of Plantersville, Grimes County, Texas, met in Special Session at 6:00

p.m. on Thursday, September 12, 2024, in Town Hall, 11335 Lodge Lane, Plantersville, Texas.

Members Present:

Karen Hale, Mayor Sonya Brewer, Alderman

Kim Allphin, Mayor Pro-Tem John Greenwood, IV, Alderman

Marilyn Bettes, Alderman, Secretary Dedrick Mallard, Alderman

Visitors: City Attorney-Bridgette Begle, Jessica Bomar and David Tullos (arrived near end of meeting).

1. Call to Order: Quorum established. Mayor Hale called the meeting to order at 6:00 p.m. The

invocation was given by Alderman Kim Allphin with pledges led by Mayor Hale.

2. Minutes of Regular Meeting: Regular Meeting Minutes, August 19, 2024

**Motion to Approve:** Alderman Greenwood

**Second:** Alderman Mallard

**Voting:** Yes: Unanimous

**Final Resolution:** Motion carries

3. Public Comments: There were no Public Comments.

4. Discuss/consider/approve: Items to be placed on future Agendas. Alderman Bettes suggested need for waterproof place to post Meeting Notices, etc. on the back porch due to ADA access. Alderman Brewer requested information regarding Emergency Management training. Mayor Hale said it would be addressed in Agenda Item 11. Alderman Allphin clarified request which included their discussion with Commissioner Tullos.

5.Discuss/consider/approve: GLO Resilient Community Program and other grant opportunities: Public Management/Aaron Miller, Ken Coignet

 **Action**—Mayor Hale said item would be on Monday’s Regular Meeting Agenda

**6.** Discuss/consider/approve: increase TMLRP General Liability Insurance coverage to $1 million for each occurrence and $2 million aggregate at an annual increase in cost of approximately $100.

Mayor stated topic had been previously discussed, but motion for approval was needed.

 **Motion to Approve:** Alderman Allphin

 **Second:** Alderman Brewer

 **Voting:** Unanimous

 **Final Resolution:** Motion carries

7 Discuss/consider/approve: review 2023-2024 budget and make notes of proposed changes

Discussion: Updated worksheet with addition of Actual 2023-2024 Expenses for comparison with 2022-2023 expenses. Added Professional Contract with Bleyl; if expenses increase, line item move money from other items; change Road Materials to Road Maintenance; Communication Budget should cover as budgeted; assistance of education was deleted; Insurance increase will be covered by Insurance budgeted; Community Outreach included Treats on a Dirt Street, Christmas Parade, etc.;

Mayor had Professional Services Contact discussion with Steve Duncan will be discussed at next Agenda. Budget items must be approved by September 30, so date for Public Hearing and meeting will be set at September 16 meeting for September 30th for 6:30 pm.

8. Discuss/consider/approve: City Office lease and particulars

Discussion: PSVFD has been nearly cleaned/cleared out; space needs cleaning and possibly painted. Can ask Josh Eubank if he will do the painting? Or others?

9. Discuss/consider/approve: City Secretary/City Clerk job description, hours, requirements.

Discussion: No official posting has been done—Alderman Brewer volunteered to write possible posting, but did not get information to Mayor Hale. Attorney suggested looking at TML’s website for suggestions. Alderman Brewer will have information to Mayor before next meeting.

10. Discuss/consider/approve: Cybersecurity Training available through TML IRP online: required by state: turn in to Mayor if you have not already done that.

**Discussion:** Some have turned in since last meeting.

11**.**  Discuss/ consider/approve: city handling of emergency services before/after hurricane/emergency events: Texas Department of Emergency Management Training Meeting by Ponch Gonzales: NIMS training/city preparedness: set

date for Special Meeting.

**Discussion:** After Mr. Welch’s presentation at last meeting, Mayor received a call from Ponch Gonzales regarding scheduling the training. He would like to schedule a 2 hour training and would like us to invite the PSVFD to participate. It would be a posted City Meeting so would not violate Open Meeting requirements.

**Motion to Approve:** Alderman Allphin moved to schedule meeting for Monday, September 23, 6:30 pm with location TBD per Mr. Gonzales’ internet needs.

**Second:** Alderman Mallard

**Voting:** Yes: Unanimous

**Final Resolution:** Motion carries

12. Discuss/ consider/approve: Treats on a Dirt Street, October 24

**Discussion:** Alderman Allphin is updating posters and explained general procedures for setup with all who want to participate be parked and ready by 5:30. Candy has been purchased and lighting arranged. PTH will allow use of restroom, so no need for rental of porta-potties. PSVFD has agreed to bring fire trucks and will use them to block the road entrances. Visitor parking and be at water department, etc. Alderman Bettes will contact Constable Blake Jarvis as he expressed interest in participating.

13 Discuss/consider/approve: IRC adoption and/or development requirements by the city

**Discussion**: IRC Code 2021; Alderman Brewer questioned fire hydrants (in Subdivision Rules--Mayor Hale will investigate adding to those rules) ; Alderman Greenwood asked , do we have a way to include ETJ? The attorney said reference is to Municipality; she will research if that means within City limits only? Ordinance # to be determined.

**Action—Motion to Approve:** Alderman Allphin

**Second:** Alderman Bettes

**Voting:** Yes: Unanimous

**Final Resolution:** Motion carries

14. Discuss/consider/approve: Franchise Fee Ordinance

 **Discussion:** Attorney brought sample ordinance from another city. Advised adding permitting required to do work in Right of Way (provides knowledge of what is being done); if citizen pays franchise fee to a company, we might, in turn, be able to charge the company. Alderman Allphin said that DPWSC is exempt from being charged; should there be reference—MUD district can be charged. Must show proof of insurance if in ROW. Mayor checked about Mid-South Fiber which may not be included—further research needed. Mayor asked to include Maps of lines, etc. Item will be on Monday’s Agenda, but also include Permitting information/requirements.

15. Discuss/consider/approve: permitting for underground and overhead ROW projects

. Discussion was included with #14 because the permit will be part of the ordinance.

16. Discuss/consider/approve: bank accounts, interest bearing accounts: first step, adopt an investment policy

 **Discussion:** First statutorily required step is to adopt an Investment Policy. Investment policy has to be re-evaluated each year. Mayor has to maintain compliance with PFIA training rules, etc. Interest bearing accounts—checking accounts, CDs and Money Market accounts—need to use our money to gain additional income. Attorney mentioned Tex-Pool is one that many cities use. Alderman Greenwood volunteered to invite Tex-Pool to our October Regular Meeting.

 **Action—Motion to Approve:** Alderman Allphin moved to approve for Attorney to draft a simple Investment Policy (include interest bearing checking account, money market account, CD’s and Tex-Pool)

 **Second:** Alderman Greenwood

 **Voting:** Yes. Unanimous

 **Final Resolution**: Motion carries

17. Discuss/consider/approve: RV Park Ordinance

 Discussion: Attorney sent wrong city example. Mayor recommended Todd Mission for reference. Regulate ~~P~~

RV Parks, RV vehicles being used as residence, mobile homes and parks. Attorney will re-investigate the various ordinances. Alderman Allphin said some ordinances are simply protective measures. Also mentioned the IBC (International Building Code) which we need to consider for adoption.

18. Discuss/consider/approve: Vape Shop Ordinance

 **Discussion:** We cannot prohibit them because we do not have zoning laws. We can require permits for all businesses. Cannot stop businesses from coming in, but just adds more hoops to jump through. Cannot legally stop vape shops from coming in.

 **Action—**Motion to TABLE (extinguish) Vape Ordinance: Alderman Greenwood

 **Second:** Alderman Allphin

 **Voting:** Yes. Unanimous

 **Final Resolution:** Motion carried to Table Ordinance

19. Discuss/consider/approve: PSVFD Emergency Services Contract

 **Discussion:** Mayor was told by David Lilly when we incorporated that we were covered by the Emergency Services Interlocal Agreement. We were under the impression that fire, police, all emergency services were all included. Wording in original one referred to Emergency Management Program, not specifically fire and EMS, but “together with such organized volunteer groups as that plan may specify” and the Emergency Plan mentions each Fire Department. Art wrote contract which we submitted to PSVFD, but their attorney said “NO” due to no money. Our Attorney will contact Grimes County Attorney for clarification.

20 Discuss/consider/approve: Citizen involvement, workshop to hear from constituents, hurdles engaging with city, delivery/reply, need to educate citizens in future on process of city, a more open forum: set date for a Public Hearing

 **Discussion:** Alderman Brewer brought up the topic, wants meeting with only 2 board members present (Brewer and Mallard) and GC Commissioner Tullos, so not a quorum, ie. Town Hall to help citizens understand how meetings are conducted and what is allowed by Local Government Code Statutes, questions, complaints, etc. A meeting where people are not afraid to ask questions or speak. Why does she want only two present? Mayor asked why the 2 newest, least experienced aldermen would be the ones chosen to answer questions about city procedures. Alderman Brewer said that we could all attend but only 2 could be there as Aldermen. Mayor Hale explained that a quorum of Board Members cannot be present for a discussion of city business according to Open Meetings Act without a legally posted Notice of Meeting. Attorney Begle responded that we must follow Open Meetings Act when a quorum is present discussing city business. Attorney recommended that we can have a legally posted meeting with one agenda item with a broad range of topics of city procedures and —open meeting with all present—with discussion, but no final resolution/solutions. We can call a Special Meeting where people are not afraid to talk, ask questions, but it must be a legally posted legally conducted meeting. Brewer questioned about providing food and changing meeting location, instead of PTH. Mayor replied that we can hold it at PTH because it will hold plenty of people and our City Procedures do not allow food by visitors but we can amend that Procedure for that meeting. Mayor asked if Kim’s brochure could be completed by our next meeting?

**Action: Sonya Brewer:** Motion to hold a Special Meeting, PTH, meeting at 6:00 pm, doors open at 5:30 (maybe food); if large crowd, there will be another scheduled meeting. Meeting would have one item for discussion and be legally posted.

 **Action: Motion to Approve:** Sonya Brewer

**Second:** Alderman Mallard

**Voting:** Yes. Unanimous

**Final Resolution: Motion carries**

21. Discuss: PSVFD Report and concerns—there was no report.

22. Board update/discussion: Items of community interest (no action may be discussed, except to put on an agenda)

 September 19—TxDOT Hearing regarding SH 105/SH 249, Expo Center

 September 22—PTH hosting Dollar Day Community Event, 1:30-5:30 pm

 October 24—Treats on a Dirt Street, 6:30-8:30 pm

 December 7—Plantersville Christmas Parade

**Closed Session**

33. The Aldermen may meet in closed session pursuant to the Texas Government Code

**Open Session**

34**.** Return to open meeting: take action on items discussed in closed session

35. Mayor Hale adjourned the meeting at 8:42 pm.

Approved: Attest:

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Karen Hale, Mayor Marilyn Bettes, Secretary

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_