

Notice of a Special Meeting Minutes
CITY OF BEVIL OAKS, TEXAS
December 08, 2022

1. **Call to Order @ 6:30 pm**
2. **Pledge of Allegiance/Invocation**
 - a. The United States Flag
 - b. The Texas state flag: "*Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.*"
3. **Roll Call-** Councilman Merendino, Councilman Currie, Councilman Wright & Councilman Watson- **Present**; Mayor Emmons, Councilman Emmons & Councilman Mullins- **Not Present**
4. **Conflict of Interest Statement-** None
5. **Citizen Comments** (3 minutes each) – An opportunity for the citizens to address Council on agenda items or concerns not on the agenda – those wishing to speak must complete the comment card, present the comment card to the City Secretary prior to the beginning of the meeting, and observe a 3-minute time limit
 - **Dale Darby-** States that he wants the Mayor, Councilman Emmons and Councilman Mullins to step down because he doesn't have confidence in them. States that they don't answer the questions that are asked by the citizens. States that during the elevation of the houses, Mayor Emmons and Councilman Emmons were first on the list and they should have been last. States that the issue with the signs was dishonest. States that for that matter, he suggests that they step down voluntarily. If they don't step down voluntarily, he wants to see if the Council can force them off. States that Councilman Mullins and Councilman Emmons made decisions about what roads were going to get done without discussing it with anyone. Councilman Mullins and Councilman Emmons stated that there would be rock delivered and it still hasn't been.
6. **Discussion/Action Items**
 - a. **Consideration/Discussion/Approval** removal of late fees and disconnect fees for December 2022 **M/M/2/C-** Councilman Watson/Councilman Wright- **Approved- All I's**
 - **Councilman Merendino-** The late fees will be waived just for December. It will be readdressed in January.
 - **Councilman Watson-** Is this the first time that this has been done?
 - **Councilman Merendino-** I don't remember doing it last year, but Sabrenna brought it up and I thought it was a good idea.
 - **Dru Montgomery-** addressing Councilman Merendino: When you say that it will roll over to January, does that mean that it will be due January 1st or will it roll over to the next billing cycle?
 - **Councilman Merendino-** the late fee will not roll over. They will not be charged for December
 - **Dru Montgomery-** If they don't pay, will it be due with the January bill
 - **Councilman Merendino-** It will be due at the due date of the January.
 - b. **Consideration/Discussion/Approval** of rehabilitation of the old fire station & and making an office location there so the trailer can be removed. **M/M/2/C**

Councilman Wright/Councilman Watson- **Approved-** the committee consists of all the Council that is present at the meeting and any citizens that would like to join.

- **Councilman Merendino-** At one time the fire station was deemed unfixable. Now it can be repaired. We did a tour and it has been professionally cleaned.
- **Dale Darby-** It was not deemed unfixable by an engineer. The Council is the ones who said that.
- **Councilman Merendino-** States that it would have to be researched that that is what took place.
- **Dale Darby-** States that he put in a request for it and that he never received it. Asks Dru how long it had been since that request had been turned in and that he still doesn't have the information
- **Dru Montgomery-** States that it had been 3 or 4 years. States that he gave the information to Mr. Neichoy because he turned in the appropriate form.
- **Dale Darby-** States that he turned in the request
- **Councilman Merendino-** States that several people have experience rebuilding their homes, so they know what needs to be done. States that he would like to see if some Council members would like to volunteer with him.
- **Councilman Wright-** Asks what they are volunteering for?
- **Councilman Merendino-** To figure out a way to show the City how much it will cost to get the building functional.
- **Councilman Wright-** States that he isn't sure that he is understanding what Councilman Merendino is wanting to do. States that we don't have an idea of what the scope of work would be and he is unsure if that is the right thing to do or not.
- **Councilman Merendino-** That is what is needing to be discussed. That is what he is suggesting a committee for.
- **Councilman Wright-** You're suggesting that we get together to figure out what the scope of work would be?
- **Councilman Merendino-** Yes
- **Councilman Watson-** Do you know if the City inspector can come out and look at everything?
- **Councilman Merendino-** Yes, we need to do that. We can only have 3 Councilman on it. States that he can call a guy that did work on several of the houses that he has and get a quote from him for material that we need.
- **Councilman Wright-** We need to have someone that has the skill set to be able to tell us if there is anything wrong with the things that we can't see.
- **Councilman Merendino-** The point of the committee is to find someone to do everything the right way

- **Councilman Wright-** Sabrenna said that the records that are at City Hall now, have to be behind double locks.
- **Councilman Merendino-** We can put a closet in there.
- **Councilman Wright-** We need to know how much money we have to spend.
- **Councilman Merendino-** We can find that out at the next meeting.
- **Councilman Watson-** States after speaking to Sabrenna, there is insurance money to do this.
- **Councilman Wright-** We have insurance money not FEMA money to do this with.
- **Councilman Merendino-** We can make a five- year plan, but we just need it to be functional for now. We can do upgrades later.
- **Dru Montgomery- speaking to Councilman Merendino;** to summarize what you are wanting to do, you are wanting to form a committee with 3 or less Council members to investigate and provide and estimate and recommendation to the rest of the Council at the next meeting?
- **Councilman Merendino-** Yes. Citizens are welcome to add their input. The number of citizens can be unlimited.
- **Dru Montgomery-** The committee allows the Council to do “ boots on the ground” work. This means that they can meet and make recommendations to the Council. Any money spent will be authorized at an open Council meeting. The committee makes a recommendation and the Council will decide as a whole.
- **Councilman Wright-** How do we publicize the meeting
- **Councilman Merendino-** Sabrenna can put it on the City website. Anyone that wants to help with deciding what to do can come with us to the building. Once the building is functional, we can sell the trailer that is currently City Hall. It is completely paid for, so it will off set some of the funds spent.
- **Councilman Watson-** In reality, this refurbish is not going to be that big of a deal.
- **Councilman Merendino-** It’s not going to be that big of a deal, but I want it to be open to everybody. It can be habitable in less than a month.

7. Discussion

- a. **Agenda request made by Councilman Merendino-** Discussion over the procedure of the pre-construction meeting for the road’s project.
 - **Councilman Merendino-** States that he spoke with the lady from LJA and she said that the pre-construction meeting was not required to be open to the public. That meeting was to decide what day they would start construction, and where the equipment would be stored. States that the Mayor and Councilman Emmons went to the meeting. No one else on Council knew about it. All the other meetings, everyone was invited. It isn’t required by law, that the meeting be made public. States that as a representative of Ward one, he was never consulted about any of the

road repair. States that if your road was not done, it wasn't because he didn't represent it, it was because he was never consulted or involved.

b. Agenda request made by Councilman Merendino- request proof of ordinance allowing signage in the City right of way.

- **Councilman Merendino-** There was an agreement made, that the City wouldn't allow advertising signs. At one point there were too many signs. It was decided that the signs that were in the City right-of-way, next to the road, would be taken up inside the City. The signs would be taken up and put behind the Civic Center. States that the City of Bevil Oaks property ends at the property line that runs parallel to 105, that becomes DOT right-of-way. States that the ordinance can't be found. We made a resolution, that the people who came door to door, had to have a permit to go door to door. If they are on the homeowner's property, the City can't touch it. States that the sign that everyone has heard about was 22 feet away from the highway. The City isn't supposed to take anything up that is 20 feet off the road because that is private property.

c. Agenda request made by Councilman Merendino- future council involvement request

- **Councilman Merendino-** States that he didn't put that on the agenda.
- **Dru Montgomery-** Any topic of Council member involvement is open for discussion. Be as broad as possible. Anything that you want to discuss about the future of Council members
- **Councilman Merendino-** No Council member has a right to pull up any signs. No City Council member or Mayor has a right to pull up a sign and put it in their garage and cause the Sherriff office to retrieve it. When the sign was taken, the Mayor and Councilman Emmons, denied that they had the sign. It was later proven that they did have the sign. States that he doesn't see how we can trust those Council people to be over a \$2,000,000 project. States that he doesn't trust them any more.
- **Councilman Wright-** Asks what the process is to remove a Council member?
- **Dru Montgomery-** A Council member can be removed for committing a crime, failure to appear at 3 meetings and for showing up to a public meeting intoxicated.
- **Dale Darby-** What type of crime? A felony, a misdemeanor?
- **Dru Montgomery-** States that this isn't something that comes up often, so he is unsure and he would have to do some research and circle back with Council.
- **Councilman Wright-** States that he is not condoning or supporting what happened, the sign doesn't belong to a citizen of Bevil Oaks, right?
- **Owner-** It was my sign

- **Councilman Wright-** You don't live here or vote here?
- **Owner of sign-** No, but I own property out here.
- **Councilman Wright-** The sign was on someone's property and the DOT right-of-way. The issue should have been between the owner and the owner of the sign. Why is this a Council issue?
- **Councilman Merendino-** States that the Mayor lied twice about having the sign.
- **Owner of sign-** Councilman Emmons said that the sign had to be 20 feet off of the road. The sign was 22 feet off the road.
- **Councilman Wright-** states that he isn't defending what happened with the sign, he wants to know why he should get involved in this issue when we have buildings that need to be built, roads that need to be done, water plant that needs to be run right and vacant houses all over that are eye sores.
- **Dale Darby-** States that because these issues don't get resolved. We could have had all the things that you just listed fixed. The buildings could have been back on its feet a year after the storm. States that the Mayor and the other Councilmen that aren't here, do what they want to do.
- **Councilman Merendino-** *to Councilman Wright-* When you ask why you should get involved, you need to be involved because you were elected to represent the people of your Ward. You are representing the people, not yourself. States that he should find out what the people in his Ward want.
- **Councilman Watson-** The intent now is to change the concept of Council, nothing against the people that are on Council, but we have some fresh blood on Council now.
- **Dale Darby-** States that they are tired of the no representation.
- **Councilman Merendino-** States that there is a Council member from each Ward at the meeting tonight, so every Ward is being represented at this meeting. States that Mayor and Councilman Emmons couldn't be at the meeting due to a family member having surgery, states that his thoughts and prayers are with them. States that he is unsure why Councilman Mullins isn't at the meeting. States that the Council isn't required to be at Special Meetings.
- **Dru Montgomery-** States that he believes that Councilman Mullins is out of town and there was not supposed to be a December meeting.
- **Councilman Merendino-** There wasn't supposed to be a meeting unless something came up. The water bill fees came up and the sign issue came up, and the fire station rehabilitation came up and I didn't want to wait

another month to get started because I might be busy, so that is why there was a meeting.

- **Councilman Watson-** States that there is a quorum in place at the meeting so decisions can be made. We value and welcome the other Council members input and opinion, but we have to move on. We will get something done, that is our promise to you.
- **Dale Darby-** that is all we ask as citizens. We want to know how we are going to spend the money that the City has to spend. We want to know what the Council's dreams are for that.
- **Councilman Merendino-** We want you to be there to put input into it. Let's try to move forward.
- **Resident-** mentions the water bills
- **Councilman Merendino-** Cheri Mitchell worked tirelessly to lower the water bills. You pay the same amount on sewer as you do water. We are trying to lower the water bills, but we will not do away with the water bills and they won't be \$40 a month.
- **Resident-** Can you justify why they are so high?
- **Councilman Merendino-** states that Councilman Mullins said that the City needs the revenue. States that we paid for them to come out and fix the chlorine system when the chlorine was too high.
- **Councilman Wright-** The problem is the chlorine system. Sometimes you can be within the limit and still smell chlorine. The lack of communication is part of the problem. If the water is not drinkable, we have to be notified.
- **Councilman Merendino-** We are required by law to have 2 parts per million of chlorine. You have to have chlorine in the water to make it drinkable. We can lower it, but it won't be by much.
- **Cheri Mitchell-** 50 % of the cost of sewer goes to the City of Beaumont
- **Councilman Wright-** Where does the other 50 % go?
- **Cheri Mitchell-** to the City of Bevil Oaks
- **Councilman Wright-** Beaumont will raise their rate. There is probably a piece of the water fees that are revenue. Most smaller City's actually use their water as a source of revenue.
- **Dale Darby-** Before the City went high on the water bills, before the City took over the water. Why are we paying for an ungraded system when it hasn't been upgraded? The chlorination system hasn't been upgraded is about 50 years.
- **Councilman Wright-** the cost of replacing the chlorination system is small compared to the cost of replacing sewer line or putting 6 inch water lines in. That can be a high cost.

8. Adjourn Meeting @ 6:43 pm M/M/2/C Councilman Wright/Councilman Watson

Barbara Emmons

Mayor, Barbara Emmons

Attest: Doug Mullins

City Secretary, Doug Mullins