

JANUARY 19, 2023

Notice of a Regular Meeting Minutes CITY OF BEVIL OAKS, TEXAS

January 19, 2023

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- All 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.
 - **Matt Godfrey-** States that some of the Council and the Mayor are not managing the City. States the dogs that are running loose are an issue. Asks that Council do a better job as Council members Mayor for the citizens of Bevil Oaks.
 - **Councilman Merendino-** states that the Council will do a better job and get along better.
 - **Dale Darby-** states that he would like the Mayor and Councilman Emmons resign. Suggests the Council make an ordinance that states that if there is an issue with someone's dog that they will get a fine.
 - **Jennifer Joyce-** Asks that the pothole fill that was done through the road grant is not being done.
 - **Mayor Emmons-** explains that there are two different grants and the FEMA grant is the one that is doing the pothole repair. The FEMA grant is the grant that is filling the potholes. They went through and picked which areas were going to get the pothole repair. The GLO is the one that is doing the whole road.
 - **Jennifer Joyce-** States that Rolling Hills, west side, all they did was the same thing precinct 1 does, and just fill the potholes that are there.
 - **Councilman Merendino-** States that he will get with her and look at what she's talking about. The map shows that there are some that are going to have to be chosen by a City representative. Are the pothole repair spots predetermined.
 - **Councilman Mullins-** States that Victoria (LJA engineering representative for the road grant), told them that the City would have to mark the areas that need the pothole repair, with paint.
 - **Mayor Emmons-** States that we could see if Victoria would come to our next meeting to answer some of these questions. States that we were told in the beginning, right after Harvey, that FEMA had already determined which ones were going to be done.
 - **Councilman Mullins-** On the FEMA report that they gave us, Rolling Hills only has 352 sq. ft. that was designated to be repaired by the FEMA grant. States that he isn't sure where the 352 sq. ft. is, but that is what they allocated.
 - **Mayor Emmons-** States that no one has contacted the City about marking which portion of the road, yet.

- **Councilman Emmons-** States that someone has been out to mark the roads. The FEMA portion of the grant only designates so many sq. ft. of the road. The way they designate that is they may do half the road. States the County will be doing phase 3. Phase 1 is the GLO. Phase 2 is the FEMA. Phase 3 is the County.
- **Mayor Emmons-** States that it will be March or April before the County gets the material.
- **Dale Darby-** What happens with the square footage of the road that FEMA chooses to do if there are not enough spots that need to be repaired?
- **Councilman Merendino-** Alaskan is example of the pothole repair.
- **Mayor Emmons-** States that they said it will take them about 7 months to get everything done. It's a section at a time.
- **Councilman Emmons-** From the time that FEMA did their assessment, a lot of stuff has changed. There are roads now that were in good shape when they did their assessment and now, they need work.
- **Mayor Emmons-** At the time that the grant was applied for, we were told that all the roads were going to get done. All these grants were applied for before all of us, except Doug Emmons, were on Council.
- **Councilman Emmons-** Keep in mind that some of the roads that GLO has, FEMA has part of them as well. In the beginning, the roads were going to be done by chip seal. Instead, we are doing hot asphalt. States that hot asphalt is more expensive. We still have the same amount of money, so that means that will get less done.
- **Councilman Wright-** some of the cross streets may not get done with the grant money.
- **Councilman Merendino-** Suggests that we have the engineer come to the next meeting.

6. Executive Session @ 6:55 pm

- a. The City Council may convene in Executive Session Pursuant to Section 551.071 of the Texas Government Code to discuss employee pay raise.
- b. The City Council may convene in Executive Session Pursuant to Section 551.071 of the Texas Government Code to discuss monthly gas stipend for employees when working in the field.

7. Resume Regular Meeting @ 7:24 p.m.

8. Review/Approve Consent Items- M/M/2/C- Councilman Watson/Councilman Emmons- *Approved- Unanimous*

- a. Financial Reports for City of Bevil Oaks – November & December 2022
- b. Financial Reports for Public Works – November & December 2022
- c. Report by Utility Specialties- December 2022 & January 2023
- d. Previous Meeting Minutes
 - **Dru Montgomery-** Suggests that the Mayor make a motion on the hourly wage. States that there was a proposal made in executive session to increase the hourly salary of Mrs. Crain.
 - **M/M/2/C- Councilman Merendino/Councilman Mullins- *Approved- Unanimous***

- **Mayor Emmons-** Asks is she has a motion to approve the gas stipend. **M/M/2/C- Councilman Emmons/Councilman Merendino- *Approved- Unanimous***

9. Review/Approve Action Items

- a. Consideration/Discussion/Approval of obtaining the funds from the CDL (community disaster loan) M/M/2/C- Councilman Merendino/Councilman Watson- *Approved- to obtain the funds through one draw. Unanimous***

- **Charlotte Yeates-** the loan is forgivable. Once it is used, the City can ask for forgiveness and it will turn into a grant. State Lee Wilson (FEMA representative) suggested that the City ask for \$140,000 of the grant. It would be achievable to cover the expenses and it will be forgiven. It can't be used for capital expenditures or for flood recovery, it can only be used for operating expenses. States that the funds need to be used by June or July due to them having to go through the paperwork to close out the grant. If the full amount was drawn, we would have 8 months to use the expenses. Most of the qualifying expenditures are going to come from Public Works. If we shorten the time to use the funds, we can use payroll as an expense. There is no issue covering the \$140,000, it is just getting the documents. There is the choice in taking draws or the funds can all be drawn at one time.
- **Councilman Watson-** Why wouldn't we draw everything at once?
- **Mayor Emmons-** If we do draws instead of taking the whole amount at one time, we will have wait for FEMA to approve each draw.
- **Charlotte Yeates-** States that her recommendation is that it is drawn all at one time.
- **Councilman Watson-** They will definitely forgive the loan?
- **Charlotte Yeates-** Yes.
- **Councilman Wright-** What is the hazard of the loan?
- **Charlotte Yeates -** States that there is no hazard.
- **Councilman Merendino-** Couldn't we use a separate account for the funds?
- **Charlotte Yeates-** suggests that the funds be put in the insurance account. Back when the grant was obtained, if the \$190,000 was used then it would have to be paid back. FEMA gave us the option for a little over the \$140,000, but the City decided to take the \$140,000 even. FEMA stated that if we use the money for operating expenditures, it would be forgiven. It can be used for water/sewer or for general operating expenses, so it won't be an issue to use the funds.
- **Councilman Wright-** There are restrictions on what the money can be used for?
- **Charlotte Yeates-** Yes, it has to be used on operating expenses. Payroll, utilities, utility contractor expenses, software, internet, CPA firm. Whatever is operating expenses.
- **Councilman Wright-** could we replace some of the equipment at the water plant?
- **Charlotte Yeates-** no. but you're using \$140,000 to use for operating so that frees up \$140,000 of your own money that you could use for that. Suggests putting the money in the insurance account.
- **Councilman Wright-** suggests adding a separate line item for the funds
- **Councilman Merendino-** states that he doesn't want to put it in the insurance funds because there are no restrictions on that account.

- **Charlotte Yeates-** Suggests that there could be a savings account opened for the funds to go in.
 - **Councilman Watson-** Suggests that the money be put in a cd
 - **Charlotte Yeates-** States that could be done as well.
- b. Consideration/Discussion/Approval of proposing alternatives to lower the user fee M/M/2/C- Councilman Merendino/Councilman Mullins- *lowering the user fee to \$19.00. Approved- Unanimous***
- **Charlotte Yeates-** the user fee is restricted for debt service. There is \$93,000 in the debt service account. There was a transfer of \$13,181.00 to that account. The goal for that account is \$131,000 for one year of debt service. Looking at the consideration of a reduction of a user fee, the average amount of connections is 471 accounts. That amounts to \$146,952. The user fee could be lowered to \$23.00 if we don't do anything else. The other option is to do the following: Badger meter would need to be paid off, \$45,600. The debt service account would need to be brought up to the amount needed for one year of operating expenses. That would be about \$24,000. We would need to keep budgeting the money for Badger Meter even after it is paid off to cover the debt service amount. As long as the connections stay the same, we could lower the user fee to \$19.00.
 - **Councilman Watson-** What if the rates are raised in the future?
 - **Charlotte Yeates-** We could annually look at increasing the amount that we pay out of operating. You won't get to where you can budget the \$130,000 out of your operating, but if there are no hurricanes and the number of connections stay the same and/or grow, because we are budgeting depreciation now, we are also building up your balance to where there is money in the bank. There are 13 years left on the loan.
 - **Councilman Merendino-** States the amount of the water rates haven't gone up in a long time. City of Beaumont has already gone up on their amount, if we lower the user fee are we going to have to go up on the water rates?
 - **Charlotte Yeates -** No...States that this all changes if there is a hurricane. The user fee can only be used for debt service.

Councilman Mullins- Since Harvey, the rate was \$39.90, we have brought it down to \$19.00. That's saving the residents \$240 a year, which to some residents, is a month worth of water use.

Mayor Emmons- States that since they need Charlotte's input, they are going to rearrange the agenda.

- c. Consideration/Discussion/Approval of having separate bank accounts for the money received from water, sewer and user fee charges- M/M/2/C- Councilman Merendino/Councilman Currie- *NOT Approved- Unanimous***
- **Charlotte Yeates-** States that when a payment comes, you can't separate what is water, sewer and user fee. All that money goes into the operating account. We track the user fee. The user fee that is on the financials every month shows what we have received. All the water and sewer money go into the operating account. The debt service comes out of the operating account. There is not a way to separate all of those funds when there is a deposit made.

d. Consideration/Discussion/Approval of voting on and selecting Council officers

- City Secretary- Councilman Mullins- M/M/2/C- Councilman Merendino/Councilman Watson- *Approved- Unanimous*
- Mayor Pro tem- Councilman Merendino- M/M/2/C- Councilman Watson/Councilman Mullins- *Approved- Unanimous*
- Councilman Merendino- States that when he was approached about being Mayor Pro-tem, he was asked why he wanted to be Mayor Pro-tem. He stated that he wanted to be Mayor Pro-tem because no one else wanted to be. States that he told the Mayor that if she was planning on stepping back that he didn't want to be Mayor Pro-tem because he didn't want to be the Mayor. States that he will do the Council meetings, but he isn't up to being the Mayor. States that he can't do it without everyone's help. States that he needs a promise that Sabrenna isn't going anywhere either.
- Sabrenna Crain- States that she isn't going anywhere.

e. Consideration/Discussion/Approval of change order submitted for road grant based on change in material costs and removal of certain bid items- M/M/2/C- Councilman Emmons/Councilman Watson- *To pay the invoice with the exception that they provide a cost breakdown- Approved*

- Councilman Merendino- suggests that the item be tabled until there is more information from the engineer
- Dru Montgomery- States that he got some guidance from the engineer.
- Councilman Merendino- States that we can't 10 more change orders.
- Dru Montgomery- States that this change order was based on the soil conditions in certain areas
- Councilman Wright- States that the question isn't the legalities of the change order, the question is the cost of the change order
- Mayor Emmons- There were only 2 areas that were like this
- Dru Montgomery- The change order for the ASB was necessary because Allco stabilized the road with cement. When they did that, the road did not set up and harden like the road should have. That indicated sub-grade soil below where the cement slurry was bad, so we had to initially excavate 8 inches where the soil was extremely soft. They continued to excavate until they got dry suitable soil at 18 inches. Without removing those pour soils, the road would begin to crack within the first few months. The ASB will be more costly because its asphalt stabilized base, that material is a essentially asphalt like the surface, but a different grade. The area with the 2-inch limestone was needed along with another one. That particular area was below the surrounding yards with elevating, the road would continue to hold water if it was lower and ponding water would hinder the longevity of the asphalt.
- Councilman Emmons- This is what is considered as discovery work in the construction industry. You can't bid what you can't predict.

- Councilman Merendino- States that soil samples were supposed to be taken before they started. States that we can't get every inch of the road, though.
 - Councilman Wright- The description of work is understandable, but if we run into a whole lot more that need to be done, can we allow to do it in our own budget. States that the item was not very detailed. The cost when you break it done is around \$3-\$400.
 - Councilman Emmons- We can get a cost breakdown from them.
 - Dru Montgomery- The issue in change orders, is they can keep working on other roads, but they try to work on one section at a time, so this will cause a delay.
 - Councilman Merendino- States that the work has already been done. They want us to approve the payment for it.
 - Dru Montgomery- States that if it is tabled, they may want to authorize someone to approve it.
 - Councilman Mullins- We just want a breakdown of the costs because we don't know the cost of the ASB.
 - Councilman Watson- States that it is also sending a signal to them that we aren't just going to accept anything that come through.
 - Councilman Emmons- States that he will call and get them to give us a cost breakdown.
 - Councilman Wright- On the change order, we also have a credit due to not doing the rumble strips. States that when you look at the change order it just says material.
 - Councilman Emmons- States that invoice still needs to be approved, but with the exception of giving a cost breakdown.
- f. **Consideration/Discussion/Approval of methods and manner of considering bids received for renovating former City Hall M/M/2/C- *Councilman Emmons/Councilman Watson*- setting a cap of \$50,000 on redoing the building.- *Approved- Unanimous***
- **Mayor Emmons @ Councilman Merendino-** States that when they spoke about redoing the buildings before, he mentioned that he had a good contractor that the City could use, however, he was not insured or bonded. Council can decide to let him do the work without being insured and bonded.
 - **Councilman Merendino-** States that he could work under another person's LLC or we could just use the guy any way. The guy wouldn't get paid until he completes work. Goes over some work that needs to be done at City Hall.
 - **Mayor Emmons-** On the bid, it doesn't show any electrical.
 - **Councilman Watson-** States that he is going to go over that.
 - **Mayor Emmons-** If Council approves it, they need to know that the electrical needs to be done before the work that is on the bid, so an inspection can be done on the building prior to the walls going up.

- **Councilman Wright-** States that he understands that if the work is under \$50,000, it doesn't have to be done? States that he thinks that the job is going to be over \$50,000. States that he thinks that there needs to be more than one bid on the things that need to be done.
 - **Mayor Emmons-** Do we approve the work to be done by Bud's contractor?
 - **Councilman Merendino-** We have to have doors put up before anything can happen.
 - **Councilman Mullins-** The bid doesn't include doors.
 - **Councilman Wright-** There are things that are not included, but they will need to be done. States that the inspector said that the electrical needs to be redone.
 - **Mayor Emmons-** States that we need to have 2 windowpanes and 2 doors installed and have the ceiling demoed so that the electrician can start the work.
 - **Councilman Wright-** States that if we go out for bid for each trade, it will take us forever to get anything done. States that we need a general contractor that can get all of that taken care of.
 - **Councilman Emmons-** Suggests that we set a budget on getting the building done rather than bidding everything out? Suggests that there be a cap put on the building of \$50,000.
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- **Mayor Emmons-** there needs to be someone that is over the building. Suggests that a committee. States that Councilman Merendino, Councilman Wright and Councilman Watson will be that committee. States that she would like Councilman Currie to be over the streetlights.
- g. Consideration/Discussion/Approval of having legal representation at the Council meetings unless it is necessary. M/M/2/C- Councilman Emmons/Councilman Watson- Approved- Unanimous**
- **Councilman Watson-** States that the city is a business. States that he doesn't think that we need the attorney at every meeting. States that we don't have security at the meeting if we don't need it. States that it's the same thing with the lawyer, if we need him then he can be here, but if he isn't needed then he doesn't need to be here.
 - **Mayor Emmons-** States that he is at the meetings when he is required to be.
 - **Councilman Watson-** States that he has been at all of the meetings and he doesn't think that he needs to be at all the meetings. States that when he got on Council, he started looking into things that he could do to cut costs within the City.
 - **Councilman Merendino-** Asks how we know when he is needed at a meeting?
 - **Councilman Watson-** States that it is based off of what is on the agenda.

- Mayor Emmons- States he will be at the meetings if there is an executive session.
 - Councilman Wright- States that he agrees with Councilman Watson and to let the agenda decide when he needs to be at the meetings.
 - Mayor Emmons- States that he was at a lot of the meeting in the beginning because we needed his help.
 - Councilman Mullins- States that there is a drop in the charges for his services from last year. There will be times when we need him and times when we don't. If the agenda is going to dictate when he will be here and when he won't, do we need to let him know?
 - Mayor Emmons- Yes.
- h. Consideration/Discussion/Approval of rules and regulations of the Public Maintenance Ordinance # 264 M/M/2/C- Councilman Emmons/Councilman Mullins- *Tabled until the correct paperwork is sent over.***
- Councilman Merendino- Asks who wrote the ordinance.
 - Mayor Emmons- States that the paper that is in the packets is not the correct one that she gave to the City Attorney to write.
 - Councilman Merendino- Reads a small portion of the ordinance. States that if we don't have any rules and regulations for the department, how are we approving it?
 - Mayor Emmons- What we voted on was the development of the department.
 - Councilman Merendino- States that there are no rules and regulations in the packet.
 - Mayor Emmons- States that this isn't the original that she emailed to the attorney.
- i. Consideration/Discussion/Approval of purchasing mowing equipment and purchasing a tractor – Tabled- M/M/2/C- Councilman Currie/Councilman Mullins**
- Councilman Merendino- States that he doesn't think that we can approve this without having rules and regulations for that department. Asks what the tractor was for? To bushhog?
 - Mayor Emmons- Yes.
 - Councilman Wright- When did it become more long-term cost efficient to bush hog vacant properties out because it's a onetime deal.
 - Councilman Emmons- No Necessarily
 - Councilman Wright- States that he is for the mower but not the tractor.
 - Councilman Mullins- States that he doesn't see the need for a tractor if the bush hog is a onetime need
 - Councilman Merendino- Would we be able to recoup the funds used to purchase the brush hog because they are around \$35,000?
 - Councilman Wright- States that he doesn't see a need for a tractor other than a bush hog.
 - Councilman Emmons- States that the City has property that may need to be bush hogged as well, like the sewer plant as well. Sometimes there is

storm debris that needs to be cleaned up and it all goes to the sewer plant.


- Councilman Wright- We can bush hog the properties one time and then maintain it with a mower.
 - Councilman Emmons- If we start trying to mow it then we are going to have to mow it every month.
 - Councilman Wright- If you are going to bush hog it then let it go to the point that you have to bush hog it again, then you're not improving the neighborhood.
 - Councilman Merendino- If you just bush hog the property, then you are still going to have weeds that grow up against the house because a bush hog isn't going to get close enough to keep the weeds off the house.
 - Councilman Watson- In the job description for the person that we will be hiring, are there other things that a tractor can be used for?
 - Councilman Mullins- Filling potholes.
 - Mayor Emmons- We do have some places that DD6 can't get their equipment in. We can get a small tractor in there.
 - Councilman Merendino- Stated that DD6 has started spraying the ditches that they can't get to.
 - Councilman Mullins- If we have a heavy duty zero turn more that we could hook something up to it, could we use that for the material to fill the potholes? If we could take the money that would be used on a tractor, maybe we could buy a small trailer and lawnmower.
 - Councilman Merendino- A zero turn can pull a small utility trailer. We will also have to have a sprayer or a weed eater.
 - Councilman Wright- States that we will need more equipment as we go along.
 - Mayor Emmons- States that she can buy a weed eater-if-she needs to because it's within her budget.
 - Councilman Merendino- There is a lot of discussion when it comes to buying a zero turn.
 - Councilman Mullins- Suggests that we get the details and prices of a zero turn before making a decision.
 - Mayor Emmons- Assigns Councilman Merendino to finding a zero turn.
- j. **Consideration/Discussion/Approval of going out for bid for a mowing contract M/M/2/C- Councilman Emmons/Councilman Merendino- *Putting the mowing contract out for bid- Approved- Unanimous***
- Councilman Mullins- Asks that if the people that were mowing before are mowing now?
 - Councilman Merendino- Suggests that we go out for bid. The guy that does it now, hasn't gone up on his prices, but he also hasn't been mowing what he used to.
 - Councilman Mullins- If we get someone hired and purchase our own lawnmower than we won't need the mowing contract anymore.

- Councilman Emmons- States that the person that will be hired will not be in charge of mowing the entire City.
 - Mayor Emmons- States that the person that we hire WILL be mowing the entire City.
 - Councilman Merendino- States that he doesn't see how that is possible. States that we don't want the grass to get out of control, so we should give the mowing contractor a month notice and let him know that we will not be needing them anymore. States that we need to take the time to ease into it before we let the contractors go.
 - Councilman Watson- Would there be enough work for the person that is hired to do other work besides mow?
 - Mayor Emmons- Yes.
- k. **Consideration/Discussion/Approval** of resolution for the Jefferson County Hazard Mitigation Plan. **M/M/2/C- Councilman Merendino/Councilman Emmons- Approved- Unanimous**
- l. **Consideration/Discussion/Approval** of Council members having keys to everything except the water plant, sewer plant and City office. BM/DM
- Councilman Merendino- We need key to the electrical box at the park, Civic Center & City Hall during renovation.
 - Councilman Mullins- States that we have had a problem with the box being unlocked when someone rents out the park. States that he thinks that at least two Council members need keys to the City in case of emergency.

10. Presentation

- a. Presentation given by Erin Gentry/Derek Gentry over Community Development events & budget.

11. Adjourn Meeting @ 9:00 pm



Mayor, Cheri Mitchell

Attest: 

City Secretary, Jeff Thibodeaux

Approved this 18 day of April, 2024

FEBRUARY 16, 2023

Notice of a Regular Meeting Minutes CITY OF BEVIL OAKS, TEXAS

February 16, 2023

1. **Call to Order @ 6:30 p.m.**
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-** All present but Councilman Currie
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
 - **Don Smith-** States that there is a stop sign issue. A kid almost got killed due to someone who ran the stop sign while the kid was trying to get on the bus. There are a lot of kids in the neighborhood now, so this is an issue. Suggests putting speed bumps in. States that something needs to be done.
 - **Mayor Emmons-** Is this happening in the morning?
 - **Don Smith-** It happens all the time. This is a constant issue.
 - **Councilman Merendino-** Suggests getting the license plate number and give it to the Sherriff's department, they will go knock on the door. The officer said that they can't give them a ticket unless they catch them in the act.
 - **Don Smith-** States that he has already talked to the Sherriff's department and they said that they couldn't do anything until they catch them doing it.
 - **Councilman Watson-** Is there a certain time that this is occurring?
 - **Don Smith-** Sometimes it's in the morning, but there are days that it's all day.
 - **Councilman Mullins-** States that it's not going to get better if we don't do something about it.
 - **Councilman Watson-** Your proposal is speed bumps?
 - **Don Smith-** Yes. There are other areas that have them and they work. People don't like them, but they work.
 - **Councilman Emmons-** Several years ago, I made the same type of presentation that you are doing. The Council approved it, but after the one that was installed, there wasn't any allowed.
 - **Councilman Mullins-** Are you talking about the one that we have on Sweetgum?
 - **Don Smith-** They have to go all the way across the road to work. There are some reasons why we don't have them.
 - **Councilman Merendino-** Emergency response is one of the reasons why we don't have one.
 - **Don Smith-** States that he has talked to Chief Gonzales and he said that he was fine with them.
 - **Councilman Merendino-** We have to have the money to do those things
 - **Don Smith-** It isn't while you have a project going on

- **Melinda Smith-** States that she wants to address the Council with the speeders. States that she is walker. States that the speed limit signs are rarely observed. States that she respectfully disagrees with not having speed bumps.
 - **Beverly Carroll-** States that she lives on the corner of Rolling Hills as well and states that she sees a lot of speeders and people running the stop signs. States that people run the stop signs all day, it's not just a certain time of day.
 - **Trisha Dingess-** She lives on Inwood. States that she walks all the way to the light at 105, so she can see who runs the stop signs. States that she has almost been hit several times.
 - **Mrs. Childers-** Asks if Council can do anything about the ditch that runs between her house and the City property. States that it doesn't drain.
 - **Councilman Merendino-** States that it's the ditch that runs by the Civic Center. States that it was previously dug out, years ago. States that their yard holds water.
 - **Mayor Emmons-** How long has it been since it has been dug out.
 - **Councilman Emmons-** States that he doesn't know but it has been a long time.
6. **Review/Approve Consent Items- M/M/2/C-** Councilman Merendino/Councilman Emmons- *Approved*
- a. Financial Reports for City of Bevil Oaks
 - b. Financial Reports for Public Works
 - c. Report by Utility Specialties
7. **Review/Approve Action Items**
- a. **Consideration/Discussion/Approval** of change order presented by LJA engineering to add Davida drive to the road grant- **M/M/2/C-** Councilman Wright/Councilman Emmons- *Approved*
 - **Victoria Dai (LJA Engineering)-** States that this request came from Council. States that there was an area between the Blvd and Moss Hill that doesn't need to be replaced because it had been fixed previously. Those funds can be transferred to fix the area on Davida.
 - **Councilman Merendino-** Is that going to go all the way to the corner of Saddlewood.
 - **Victoria Dai-** Yes.
 - **Councilman Wright-** States that the change order sheet and the unit cost are greater than what was bid on.
 - **Victoria Dai-** Yes. Riverbend was included in the base bid with Sweetgum and Inwood. Any road that was added did not have specific line items. When they adjusted the unit prices, the unit prices were higher because they were adjusting for mobilization, traffic control all within that extra work.
 - **Councilman Mullins-** Has there been a price increase in the asphalt?
 - **Victoria Dai-** No. All these prices are prices that were bid that Allco submitted.

- **Councilman Wright-** There is a scale limit.
 - **Victoria Dai-** On the base bid, there were some things that were split in between the main roads that were done.
 - **Councilman Mullins-** How much extra would it cost if we were to install the speed bumps
 - **Victoria Dai-** It was raised markers, not speed humps. We can look into the price for you.
- b. **Consideration/Discussion/Approval** of changes to the chlorination distribution system at the water plant M/M/2/C- Councilman Merendino/Councilman Watson- *Approved the mechanical set up rather than the electrical- 3-I's; 1-no- Councilman Emmons*
- **Josh Armfield-** States that he met with some of the Council at the water plant and submitted cost estimates for the different types of systems that could be used for the Chlorine distribution.
 - **Councilman Merendino-** States that Josh would rather have the mechanical system installed rather than the electrical system
 - **Josh Armfield-** States that both options are good systems. States that the problem that we are having is an Entergy issue. States that the system that we have right now does not detect when a well is down and continues to inject chlorine as if all the wells are running. States that either system that we go with will alleviate that problem.
 - **Mayor Emmons-** The mechanical one is something that your company can work on?
 - **Josh Armfield-** That is something that we would most likely have the parts to fix on hand
 - **Councilman Wright-** States that there was some issues a little while back with the chlorine level being high and people smelling chlorine. The chlorine injection system is based on all 3 pumps running. If one of the pumps kicks out then the chlorine injection system is still pumping the same amount as it would if all 3 pumps were working.
 - **Josh Armfield-** .8-1.2 is normal levels of chlorine.
 - **Councilman Wright-** States that when you are used to the chlorine level at one level, if it rises, then you will detect the difference in the smell. It is still within safe levels, but the smell will be stronger.
 - **Mayor Emmons-** If Council approves one of these options, what kind of down time are we looking at
 - **Josh Armfield-** There is not going to be a down time. With the mechanical, there are more components that could potentially leak; however, it is more user friendly. 3 new taps will have to be made, one per well, but it will be hot taps so nothing will be taken out of service.
 - **Councilman Merendino-** States that he is for the option that is easier for the utility company to operate.

- **Councilman Watson-** When we discussed it at the water plant it was around \$20,000, but this bid is higher.
- **Josh Armfield-** Things have went up, so that was just a ballpark.
- **Councilman Mullins-** How much is the flow pacer?
- **Josh Armfield-** States that it wasn't broken down in the bid, but he can find out.
- **Councilman Watson-** Suggests talking about the potential leak.
- **Josh Armfield-** The new pipe will be better. Right now, there is only one chlorine tap. With the new system, there will be 3 different taps, one for each well.
- **Councilman Mullins-** How many leaks have we had to fix with what we have right now?
- **Josh Armfield-** Quite a bit. It may be years down the road that we have to worry about a leak. It more than likely won't be the pipe that we have to worry about leaking at that point. It will be the tap saddles. The benefit with the other system (electrical) is that there is only one tap rather than 3. If y'all want to table it until I can find a price for a flow pacer, I can get you a price.
- **Mayor Emmons-** The issue with having extra in stock is the warranty.
- **Josh Armfield-** That has been a problem in the past. The warranty only covers it for so long, it doesn't matter if it's still in the box on the shelf.
- **Councilman Emmons-** States he would rather do the electrical because there is less chance of leaks.
- **Josh Armfield-** Right now, The injection point is at the header of well 2, but he would like to move it.
- **Councilman Emmons-** States that with the mechanical, we are tripling our risk of leaks.

c. Consideration/Discussion/Approval of current mowing contract and renew current contractor's contract for an additional year M/M/2/C- Councilman Watson/Councilman Merendino- Approved

- **Councilman Merendino-** States that we have looked at mowing the Blvd, the park and the Civic Center area and purchasing the equipment to mow everything ourselves, and it was around \$30,000. The current contractor charges a little over \$2,000 to mow a month. We pay him to mow 9 months out of the year. There are several other things that come into factor. It would take about 5 to 6 years to recoup the funds that it would take to do the mowing ourselves.
- **Councilman Watson-** We are proposing to keep the mowing contract.
- **Erin Gentry-** Does that mean that there won't be a public works person
- **Mayor Emmons-** We already have.
- **Councilman Merendino-** We have enough work right now, for the Public Works person to keep him busy changing endpoints, changing meters and reading meters. It's \$55 an hour to pay Utility Innovations to do all of those things and only \$20 an hour to pay the Public Works person to do it.

d. **Consideration/Discussion/Approval** of raising the water deposit for renters and recommending amendment to ordinance adjusting the amount of deposit for rental property tenants. *M/M/2/C- Councilman Emmons/Councilman Watson- Approved- raise renter deposit to \$250.00.*

- **Councilman Merendino-** States that we have renters that leave a big bill that the City has to eat the cost for. If we up the deposit to \$250, it will help. We are not going to raise the home owners deposit and we are not going to go back to the renters that already have an account and raise it. We are talking about doing it from this point forward.
- **Mayor Emmons-** States that it has been discussed this about a year ago.
- **Erin Gentry-** Suggests talking to the attorney and make sure that the City can do that.
- **Mayor Emmons-** This has been discussed with the attorney before.
- **Councilman Merendino-** States that he wanted to lower the late fee to \$5, but that would have been a mistake. We have 90 people that are routinely late.

e. **Consideration/Discussion/Approval** of employee office hours

- **Mayor Emmons-** The office will now be open during lunch hours now. **States that this agenda item will just be a discussion item instead of an action item.**
- **Councilman Merendino-** On Monday, Tuesday and Wednesday. Thursday and Friday, the office closes at 12.

8. Discussion

a. **Discussion** of proposal by citizen Jacob Evick to allow citizens to participate in remediating overgrown yards on vacant houses.

- **Jacob Evick-** States that there are a lot of vacant properties out here and it causes a lot of issues with rodents. Suggests that the City takes bids and put a lien on the property. States that he does lawn care himself and would like to put in a bid on it if the City decides to do it.
- **Councilman Merendino-** States that the procedure is to put a notice on the door and send it to the person that is listed in JCAD. They have 10 days to fix it then we can work on it.
- **Mayor Emmons-** States that the Council think about when the property is mowed that the public works employee keep the property up once it is mowed.
- **Councilman Merendino-** States that there will be an initial clean up cost. We will have to identify the property and get an initial clean up bid and a monthly maintenance bid.
- **Councilman Watson-** Asks Mr. Evick if he has a price to do any of the properties
- **Mr. Evick-** States that he wanted to wait for Council to decide if they are going to do this or not
- **Councilman Merendino-** States that it needs to be broken down into 3 bids.
- **Councilman Watson-** Asks Mr. Evick if he has a brush hog

- **Mr. Evick-** No.
- **Councilman Mernedino-** States that all the properties will have to be separately bid and there will need to be an overall price for all the property clean up.
- **Councilman Watson-** You asking Council if we would consider it to be a possibility.
- **Mayor Emmons-** Get the list of vacant properties and we can go from there.

9. Report

a. Councilman Emmons- Roads

- **Councilman Emmons-** States that the road crew is 2 to 3 weeks ahead of schedule. The goal is to finish Riverbend next week. They will start on the Blvd and Sweetgum. They will not be shutting Sweetgum down at one time. Suggests that everyone get used to going down Riverbend.
- **Councilman Merendino-** Asks if he knows when they will be doing Sweetgum by the old City Hall?
- **Councilman Emmons-** About 2 to 3 weeks.
- **Mayor Emmons-** The weather has set them back.
- **Councilman Emmons-** Originally the grant was to do the road with chip seal. Chip and seal roads are only good for about 7 years. The hot asphalt roads that we are getting should last about 20 years. Tells Council that right now we have no money allocated for roads in the future, so Council needs to consider allocating money in the next budget. We have to buy the oil that we will have to use for the roads that the County will be doing.
- **Mayor Emmons-** States that the funds can be built up over time.

b. Councilman Merendino- City Hall Renovation

- **Councilman Merendino-** The building has been gutted and is now secured with doors. States that the electrician has started. States that the material has been ordered, it will be delivered on Wednesday. It will be delivered to the old fire station. We have receipts for all the work that has been done. Looks like we will come in under the threshold of what the City has to spend. States that it should be ready within 3 weeks. The trailer will be for sale once everything is moved out of it.
- **Mrs. Watson-** Is someone going to pressure wash the brick?
- **Mayor Emmons-** Yes
- **Councilman Merendino-** States that we are doing everything we can to lower the costs.
- **Councilman Watson-** States that we have insurance money to do the buildings and once we sale the trailer, we will have enough to replenish what we have spent.
- **Councilman Merendino-** We are going to do the Civic Center as well. We will try to do what we can to do some Community Development
- **Erin Gentry-** States that some of the kids that play basketball have asked about adding some things to the court.

- **Councilman Watson-** States that we need to get some trash cans for the basketball court because there is trash everywhere right now.
- **Mayor Emmons-** We had issues before with people bringing their trash from their house and putting it in City trash cans.
- **Councilman Merendino-** Suggested that we put a portable toilet at the basketball court. If they take care of then we can keep it, if they don't then they lose that.
- **Erin Gentry-** States that she is hoping if the kids take part in repainting the court and have time invested in cleaning it up that it will be taken care of.
- **Councilman Watson-** States that the issues that they had at his church wasn't caused from kids that live in Pinewood, it was kids that were visiting that didn't have respect for anything.

10. Adjourn meeting @ 7:45 p.m. M/M/2/C- Councilman Merendino/Councilman Watson

Barbara Emmons

Mayor, Barbara Emmons

Attest: Doug Mullins

City Secretary, Doug Mullins

MARCH 16, 2023

Notice of a Regular Meeting
CITY OF BEVIL OAKS, TEXAS

March 16, 2023

1. Call to Order @ 6:30 p.m.
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 – All 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- None
6. Review/Approve Consent Items- M/M/2/C- *Councilman Mullins/Councilman Emmons- Approved*
 - a. Report by Utility Specialties
 - b. Previous Meeting Minutes
7. Review/Approve Action Items
 - a. Consideration/Discussion/Approval of moving contractors from the City Hall Renovation Project over to the Civic Center Renovation Project- M/M/2/C- - *Councilman Mullins/Councilman Merendino- Approved- with the following stipulations- getting bids in writing, that the cost stays under \$50,000, get an electrician and HVAC tech to check everything.*
 - Councilman Mullins- States that he is concerned that with the Civic Center is that it will cost more than \$50,000.
 - Councilman Watson- States that Sabrenna is trying to find out how all that works
 - Councilman Merendino- We need to check the air conditioner. We need an electrician to check and make sure that it's safe to turn on the lights. Turning on the electricity will not be part of the electricity will not be part of the project because the City needs to use the upstairs area to store the Christmas decorations.
 - Councilman Mullins- The electricity will not be included as part of the project?
 - Councilman Merendino- No because it is maintenance. Sabrenna and I have added up some of the material that it will take to do that building. We just doubled the sheetrock. We got a bid from Jaime and it was \$12,000 to demo and to go back with the material that was already there. States that the bids that he has received so far and from estimating the costs, the renovation would be around \$30,000.
 - Councilman Mullins- When we get to that point what all is left to do?

- **Councilman Merendino-** The ceiling won't be redone. There are a couple of tiles that need to be replaced.
- **Councilman Mullins-** Where the firetrucks were, that part will be unfinished?
- **Councilman Merendino-** For now. States that his goal is to get out of the church and into the Civic Center for the meetings.
- **Councilman Mullins-** He states that his issue is staying under the \$50,000.
- **Councilman Merendino-** States that if the a/c units are good, then it should stay under the \$50,000.
- **Councilman Mullins-** If the a/c unit needs to be fixed, that won't be part of the project costs? That will be a cost of the City?
- **Mayor Emmons-** It falls under grounds and maintenance.
- **Councilman Wright-** The issue isn't that we don't have the funds. The issue
- **Councilman Mullins-** The issue is that we have a legal obligation that if it goes \$50,000, we have to go out for bid.
- **Councilman Wright-** Yes. States that we may be premature on going ahead to get the contractors to start over at that building because we have around a month before the City Hall is ready.
- **Councilman Merendino-** It won't be that long.
- **Councilman Wright-** States that it's risky to accept the fact that it might not go over \$50,000. There is always something that comes up.
- **Councilman Merendino-** States that when Councilman Wright added the 10% into the price of what it would cost to repair the building in case of emergencies, it was helpful.
- **Councilman Wright-** Suggests that we wait until next month's meeting to make a decision to give time for us to have a better idea of the costs.
- **Councilman Merendino-** If we wait, then Jaime might not be available by the time a month comes around. He may be doing other jobs.
- **Councilman Wright-** States that is a risk that you have to take. States that it's a risk that you have to take to do it right. States that the Civic Center is a larger building, so the costs will be more. It's a 4,000 square foot building.
- **Councilman Merendino-** States that it's half of that because they won't be fixing the bay area.
- **Councilman Wright-** States that is why he wants to do a scope of work. States that if the building is being renovated to just be habitable for meetings, that's one thing but if it is being fixed for the community to be able to use, that's a different scope of work.
- **Councilman Merendino-** States that the scope of work that he has (sheetrock, tape, float, texture) is the what's going to be done. Then, depending where we are fund wise, the kitchen will be fixed. We also have to repair the floor.
- **Councilman Wright-** States that he looks at the building as one job, not three. Asks Councilman Merendino if the only concern that he has in waiting a month, is that Jaime won't be available.

- **Councilman Merendino-** States that he doesn't see why we need to wait a month to start. States that it is always a possibility that Jaime will not be available.
- **Councilman Wright-** States that there could be someone else available.
- **Councilman Merendino-** States that he got a bid from someone else and it was higher.
- **Councilman Mullins-** States that he doesn't feel comfortable starting on the building without having a definite scope and we know that there isn't going to be any problems that will make the project go over \$50,000.
- **Councilman Merendino-** Can we take a week and then make a decision to move the contractors?
- **Councilman Mullins-** Even if we take a week, we can always have a quick meeting to discuss it. Let's do some of the preliminary work and see if we feel comfortable with it.
- **Councilman Watson- @ Councilman Mullins-** What do you consider preliminary work?
- **Councilman Mullins-** Electrician taking a look at what needs to be done, the a/c being looked at, to make sure that it doesn't need to be required. Suggests that we slow down a little bit and take the time needed to make sure that we stay on budget.
- **Councilman Wright-** Suggests waiting until City Hall is done because the electrician must finish City Hall first before he can move to the Civic center.
- **Councilman Watson-** States that the electrician should be done this week.
- **Councilman Merendino-** Instead of having a special meeting, can we go ahead and approve to move the contractors with the contingency that it doesn't go over the budget.
- **Councilman Wright-** States that he hasn't been in Civic Center to see what needs to be done. States that he would like to have a better vision of what needs to be done.
- **Councilman Merendino-** Do y'all want to vote on doing the contingency or do you want to wait for the next meeting?
- **Mayor Emmons-** If we can get the electricity on next week, the building can be looked at and see what needs to be done. Then, next week or the week after, we can meet again to make a decision.
- **Councilman Merendino-** Suggests instead of meeting again, approving the contractors to move to the Civic Center with the contingency of the \$50,000 budget.
- **Councilman Wright-** States that nothing can be done until the electricity is on. We all agree with that.
- **Councilman Watson-** Jaime did the work on the current building without electricity. He can do the same thing at the Civic Center
- **Councilman Merendino-** States that the City has a generator.

- **Councilman Watson-** That building will be done the same way that the current building, it's just a bigger building.
- **Councilman Mullins-** Yes, but it's more material. States that he agrees with having the building done but suggests that everyone slow down so that everything can be checked out, to make sure that there are no hidden problems that are going to cost something extra that the City isn't responsible for and it goes toward the renovation project.
- **Mayor Emmons-** If it goes over \$50,000, the City is going to be in trouble.
- **Councilman Mullins-** States that if the contractors can look at the building and give us assurance that there are no major problems, then he would be fine with the contractors moving to the Civic Center.
- **Councilman Merendino-** Asks Councilman Emmons what he thinks.
- **Councilman Emmons-** You will need to have electricity for sure. Doesn't think that the HVAC units need to be replaced. States that he feels that the electricity needs to be turned on. The electrician will be able to tell what needs to be done. The plugs and the switches will probably need to be replaced.
- **Councilman Merendino-** He will have to pull the plugs and make sure that they are all working properly.
- **Councilman Mullins-** The electrician will be able to check tomorrow?
- **Councilman Watson-** The electrician that we have for the other building, has a full-time job, so he is working on the project when he is off.
- **Councilman Mullins-** It's not about the quality of work that I am worried about, it's going over the budget.
- **Councilman Emmons-** What is over there that needs to be torn out
- **Councilman Merendino-** The kitchen and the offices. All the nails have to be pulled so they can put up new sheetrock. All the insulation in the ceilings along with the ceilings in the offices, the hallway, and the bathrooms.
- **Mayor Emmons-** states that there isn't as much that needs to be done in the Civic Center that needed to be done at City Hall
- **Councilman Merendino-** States that he had to cut the cabinet guy back because he had too many cabinets bid for City Hall
- **Councilman Mullins-** We aren't going to be doing as much work here as we did at City Hall? IF they don't find any problems and they aren't doing as much stuff, then it might be fine.
- **Councilman Merendino-** States that at City Hall, we completely re did the entire building. We will not be redoing the entire building at the Civic Center
- **Councilman Emmons-** I haven't heard anything about the side door
- **Mayor Emmons-** Fitz and Shipman stated that the crack that is above that door is cosmetic.
- **Councilman Wright-** Would we able to do the building in phases?
- **Mayor Emmons-** States that it can't be bid out in phases. Later on, we can look at other things.
- **Councilman Wright-** Can it legally be done in phases?

- **Cheri Mitchell-** It's 50 total.
- **Councilman Wright-** If we can do the renovation for under \$50,000, we don't have to bid it?
- **Mayor Emmons-** No.
- **Councilman Wright-** What if we spend \$75,000?
- **Mayor Emmons-** We would be in trouble with the state.
- **Councilman Wright-** What if we decide to do more stuff at a later date?
- **Councilman Mullins-** States that we can do that because it would be a different project.
- **Councilman Merendino-** This couldn't have been done without everyone's help.
- **Councilman Mullins-** States that he agrees with Councilman Wright that the big doors need to be removed.
- **Councilman Wright-** States that his vision is to have the building look better than it did.

8. Executive Session

- a. The City Council may convene in Executive Session Pursuant to Section 551.071 of the Texas Government Code to consult City Attorney to seek advice on legal matters pertaining to contemplated litigation and legal issues in connection threatened litigation.

- **Mayor Emmons-** There will be no executive session

9. Report

a. Councilman Emmons- Roads

- States that Sweetgum from 105 will be closed except for the people that live in that section. There will be times that those people will not be able to make it down there either. Sweetgum may be closed for 2 to 3 weeks.
- **Councilman Currie-** Do we know what hours they will be working?
- **Councilman Emmons-** 8 to 5
- **Councilman Currie-** States that his wife is pregnant and they may need to get out in a hurry.
- **Councilman Emmons-** States that if you live on that section of Sweetgum, then you will be able to get in and out. They have pre-cut Davida from Sweetgum to Saddlewood. States that after they finish this area, they will be starting Carroll. States that the material for the roads that we will be getting the County to do will be delivered within the next couple of weeks. States that we will have enough material to 2 miles of roads. We have 26 miles of roads in Bevil Oaks.
- **Councilman Mullins-** Asks if anyone has seen the road that connects Saddlewood and the Blvd? They stopped about half way instead of doing the whole road.
- **Councilman Emmons-** The County usually only does around half a mile of road every year, but they unofficially told him that they would do more than that.

b. City Hall/Civic Center Renovation Committee- **Councilman Merendino, Councilman Watson, Councilman Wright**

- **Mayor Emmons-** States that she would like Councilman Watson to give the report.
- **Councilman Watson-** It is almost complete

c. **Mayor Emmons-** Community Development

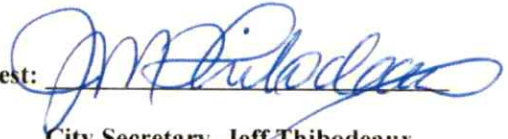
- States that she spoke with Erin Gentry and she will be doing an Easter Egg Hunt.
- **Councilman Wright-** States that we may need to think about what roads will be closed during that time.
- **Audrey Watson-** States that Sweetgum has to be done.
- **Mayor Emmons-** Sweetgum should be done by then. That is almost a month away so that shouldn't be an issue. States that the next event will be the City wide garage sale and July 4th
- **Councilman Merendino-** Asks why the grounds and maintenance isn't on the agenda for the reports. States that he changed some of the areas that were being mowed. Suggests that if anyone notices an area that is not mowed and needs to be, to please let him know.
- **Mayor Emmons-** States that we will be getting trash cans for the basketball court, park and Civic Center. Please help keep an eye out for people putting their house trash in those trash cans. States that we will be purchasing more benches for the park.

10. Adjourn meeting @ 7:29 pm- M/M/2/C- **Councilman Mullins/Councilman Merendino**



Mayor, Cheri Mitchell

Attest:



City Secretary, Jeff Thibodeaux

Approved this 18 day of April, 2024.

APRIL 20, 2023

**** MEETING WAS CANCELLED ****

MAY 18, 2023

Regular Meeting Minutes
CITY OF BEVIL OAKS, TEXAS

May 18, 2023

1. **Call to Order @ 6:30 p.m.**
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- All Present except Councilman Wright & Councilman Currie**
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.
6. **Presentation**
 - a. **Allen Pride**
 - States that he has been in Bevil Oaks for 12 years. States that he is in Ward 3. States that the Mayor asked him if he would like to head a park committee. States that his plan is to bring other members of the community. States that everything is dependent on the ideas from that committee. States that he wants to see if we can obtain grants to do different things on the property. States that his hope is to get some sort of athletic field in the City. States that he would like to leverage the Texas Parks and Wildlife grant. States that he would like to turn the DD6 into a fishing pond. States that the Texas Parks and Wildlife, does stock ponds around the area. States that he would like to leverage free planning opportunities.
 - **Councilman Watson-** If you were to do a pond or a baseball field, would the City be liable for anything that happens at those locations?
 - **Attorney Dru Montgomery-** States that unless there is an obvious hazard-no. States that it would be hard-pressed to get the drainage ditch widened.
 - **Allen Pride-** States that DD6 would have to sign off on it, but they may not.
 - **Mayor Emmons-** States that something that they did in the past was to get citizens to complete surveys.
 - **Allen Pride-** States that it could also be put on the water bill to make them aware, or a survey could be put on the website and the link be put on the water bill
 - **Councilman Watson- @ Allen Pride-** if you are willing to step up and do those things, he doesn't see how the City could lose on putting him over those things.
 - **Mayor Emmons-** States that some of those ideas have been brought up in the past. If the pond can't be put in the park, we do have green spaces that we can put it on.

- **Allen Pride-** States that he would love to see the baseball field brought back. States that he wanted to bring it up to Council to see what their thoughts were.
- **Mayor Emmons-** States that we will get him a City email set up. States that Allen played a big role in getting Bevil Oaks into HJISD.
- **Dru Montgomery-** States that Allen should not be concerned about any meeting that he would like to have. If there isn't a quorum present. It's more of an advisory board.
- **Mayor Emmons-** States that the Council will be notified of any decisions/options.
- **Allen Pride-** States that several options will be presented to Council before a decision is made on anything along with any costs that may be incurred.
- **Councilman Merendino-** States that he has heard a lot of people say that they would like to have a splash pads.
- **Allen Pride-** States that the legal part of things would need to be assessed.
- **Dru Montgomery-** States that as long as there isn't any damage to the splash pads that don't get fixed, then yes, the City would be responsible for any injuries that take place.
- **Mayor Emmons-** The state has included splash pads into the category with swimming pools as far as regulations go.
- **Councilman Merendino-** States that if the kids have a place to cool off, they might utilize the basketball court more.
- **Councilman Mullins-** Mentions that it would be a good idea to have a cover over the basketball court.
- **Allen Pride-** States that he would like to see some sort of water feature added to the community.

b. Officer Donte Miller

- States that per the request of the City, they did traffic control. States that they wrote over 100 tickets while they were out here. States that if there are any issues between the times that they will be out here, to call him. States that there was a little confusion on whether or not the City allows ATVs. States that there may not be a decrease of speeders throughout the community.
- **Councilman Watson-** States that it would be beneficial if they came in at a random time that way no one would know what time they are out here.
- **Officer Miller-** States that is what they plan to do. States that Bevil Oaks challenged him to get more patrols throughout the County. Normally there are only 3 patrol units for the entire County. Now there are 9 patrol units. IF there is anyone being unsafe to let him know.
- **Councilman Merendino-** States that the officers have gone to people that have been causing issues.

- **Councilman Emmons-** States that he knows that they can't be out here all the time, so what can the community do to help out with speeders.
 - **Officer Miller-** States that putting the word out helps a lot. States that he has made it interesting for the patrol units to put an address at the back of the neighborhood on regular patrol, so they do a normal patrol throughout the entire neighborhood.
 - **Mayor Emmons-** States that once the Civic Center, the officers will have a place to go to the restroom and to go on break if they need to.
 - **Officer Miller-** States that they have gotten the officers to patrol the neighborhood rather than just patrolling 105
- 7. Review/Approve Consent Items- M/M/2/C- Councilman Emmons/Councilman Mullins- *Approved***
- a. Financial Reports for City of Bevil Oaks- February, March & April
 - b. Financial Reports for Public Works- February, March & April
 - c. Report by Utility Specialties- March & April
 - d. Previous Meeting Minutes- 3/16/2023 minutes
- 8. Discussion/Action Items**
- a. **Consideration/Discussion/Approval of charge to customer for a damaged meter- M/M/2/C- Councilman Mullins/Councilman Emmons- *Approved- payment plan of the costs divided into 3 months of payments at the City's cost.***
 - **Councilman Mullins-** States that he spoke with the resident, and they said that they were not living in the home.
 - **Sabrenna** explains what could cause that kind of damage to a meter.
 - **Councilman Merendino-** Asks if that kind of damage could be done by pulling the wires apart.
 - **Sabrenna-** explains that when there is that type of damage to a meter wire, it has been run over by a lawnmower.
 - **Mayor Emmons-** The meter wire is usually down in the box.
 - **Sabrenna-** Yes, it is, however, they could have taken the lid off to mow around the box and didn't realize that the meter wire was left out and they end up running over it.
 - **Councilman Mullins-** how much is the meter?
 - **Sabrenna-** States that the prices for the meter were already set when she started working for the City, but the City pays \$170.05. The customer pays \$300.00.
 - **Mayor Emmons-** That's adding in the cost to install the meter.
 - **Sabrenna-** States that if the meter wire is cut, there is no way to fix it. The meter has to be replaced. Being that the meter wire is damaged, it is not covered under warranty, therefore, a new meter has to be purchased.
 - **Councilman Watson-** States that a weed eater could do that type of damage as well.
 - **Sabrenna-** Yes, but the meter lid has to be off in order for that wire to be damaged.
 - **Councilman Merendino-** asks if the meter was out by the road?

- **Sabrenna-** States that most of the meters are located on the customer side of the ditch. There are some meters that are located in the backyard, but a majority of the meters are in the front.
- b. **Consideration/Discussion/Approval** of charge to customer for a call out fee.
 - *Skipped*
- c. **Consideration/Discussion/Approval** of revision of water ordinance- M/M/2/C- **Councilman Watson/Councilman Merendino- *Approved***- Raising the renter rate to \$250, taking cash out of the ordinance, a resolution clarifying the classification of a leak.
 - **Councilman Watson-** States that right now if someone has a leak that they have to call the City someone out from Utility Innovations to turn the water off.
 - **Councilman Emmons-** Everyone had the option to get a shut off valve installed on their side when the meter was installed.
 - **Councilman Watson-** States that he wouldn't have to pay to have a plumber install a shut off valve when there is a shut off inside the meter box.
 - **Mayor Emmons-** States that everyone was given the option to put the shut off valve in. It was a huge discussion throughout the entire City to have that option.
 - **Councilman Merendino-** States that someone must be home to have the water turned on, so that wasn't an option for ¾ of the neighborhood because they were not home due to having to work.
 - **Mayor Emmons-** States that there are several people that do turn it off on their own.
 - **Councilman Watson-** States that yes, but there are some people that do things the right way and abide by the rules and have to pay that charge.
 - **Councilman Emmons-** States that there are some people that yank the lid off and damage the meter.
 - **Mayor Emmons-** States that you can't just pull the meter lid off. One thing that she has learned from Sabrenna is that some people will tie into the City without there being a meter in place. That's why we were looking at lock boxes.
 - **Councilman Merendino-** How many do we have with lock boxes?
 - **Sabrenna-** Around 20
 - **Councilman Merendino-** Are those on vacant homes?
 - **Sabrenna-** No. Some of them are on places where people have tampered with the meter before.
 - **Councilman Watson-** States that it's like if you aren't speeding you don't get a ticket, but if you are speeding, you get a ticket. It's the same concept. If you have a locked box, then it's because you have tampered with the meter.
 - **Councilman Merendino-** Asks if the ones that have a locking lid are the ones that have turned their water on?

- **Sabrenna-** A couple of years ago, the City put in 10 test meters at random houses throughout the City to test the accuracy of the meters. Those 10 meters have locking lids because they have a shut-off valve installed where the test meter was, so they have no reason to be in the meter box. There are a couple of other ones that have been disconnected before and they chose to turn their water on themselves after being disconnected, so those have locking lids. The ones that have a locking lid are due to a situation similar to those things.
- **Councilman Merendino-** Are you talking about the meter?
- **Sabrenna-** The lid. The meter lid locks.
- **Councilman Emmons-** States that there are still going to be people that damage the things inside the meter box.
- **Councilman Mullins-** If a citizen gets charged with a tamper fee for turning the water off due to a leak, they can always come before Council and explain that they had a leak, and we can decide to not charge them.
- **Councilman Watson-** What if you have someone that knows what the ordinance says and follows the protocol and they call Utility Innovations out to turn it off, meanwhile their house is flooding waiting on someone to come out and turn it off, because they don't know that we won't charge them if they turn their water off because of a leak.
- **Mayor Emmons-** Can we put a clause in the ordinance that states that "unless of an emergency, then you can turn it off"?
- **Dru Montgomery-** In that case, then just give Sabrenna the option to waive the tamper fee. Every 6 months the Council can see how many we have and waive them all at the same time.
- **Sabrenna-** A tamper fee is something that has to be manually added, so it's something that I can control as far as putting it on the account.
- **Councilman Watson-** States that Councilman Merendino brought up a valid point, when would it not be an emergency?
- **Councilman Emmons-** An emergency will need to be defined.
- **Mayor Emmons-** this specific clause states that they have to pay for what they damage.
- **Councilman Merendino-** Suggests that the tamper fee just be taken out of the ordinance.
- **Dru Montgomery-** Suggests making a resolution that defines what an emergency is to be able to turn the water off.
- **Sabrenna-** States that she also included the set prices that are charged to customers for certain things. States that there is proposed prices vs. current prices.
- **Mayor Emmons-** You have to factor in the price for Utility Innovations to install it.
- **Councilman Merendino-** The City pays \$170 for a meter but charges the customer \$300?
- **Councilman Watson-** You have to figure in administrative costs and overhead fee.

- **Sabrenna-** Explains that this is something that she looked into a while back and wanted to bring it to Council.
 - **Councilman Merendino-** Asks if it is to increase or lower the price of what the citizens pay.
 - **Sabrenna-** to lower it. States that the tap prices are on there as well. States that the prices listed, have been set in place since she started in 2019 and she is suggesting lowering some of the prices to better benefit the citizens.
 - **Mayor Emmons-** Asks if the prices of the meters and the endpoints listed are current prices.
 - **Sabrenna-** Yes.
 - **Councilman Merendino-** Asks if this is something that would be added to the change of the water ordinance.
 - **Sabrenna-** States that the price sheet that she gave was not listed in the ordinance. It is the prices that the City charges.
 - **Mayor Emmons-** States that the prices were set before Harvey.
 - **Councilman Merendino-** Is there a reason why we want to lower the prices.
 - **Sabrenna-** States that she was suggesting the prices changes to give the citizens a break in the costs.
 - **Mayor Emmons-** states that Sabrenna doesn't have a dog in the fight. It is for Council and citizens. States that she did not realize that the proposal was in the packet with the water ordinance.
- d. **Consideration/Discussion/Approval of putting in speed bumps. – *There was not a vote taken on this item.***
- **Councilman Emmons-** States that he wants to table the decision of adding the speed humps because he just found out some information on what the speed humps are. Their idea was to do one lane at the intersection of the stop signs. States that there are people that still run the stop signs. States that he proposed that the speed hump be put in on one side of the street at the stop sign. On Sweetgum, between the Blvd and 105 put another speed hump halfway down. We could do the same thing on Riverbend. If the speed humps are put out, we will have to put out stop signs as well.
 - **Mayor Emmons-** Asks how much the signs and the posts are
 - **Councilman Emmons-** States that they have went up to around \$60 a piece.
 - **Councilman Merendino-** The downfalls to having the speed humps is emergency vehicles.
 - **Councilman Emmons-** States that he talked to the fire chief, and he said that they don't really affect the emergency vehicles.
 - **Mayor Emmons-** States that a speed hump won't make the people stop.
 - **Councilman Watson-** If you put the speed bump at the Blvd and Sweetgum, you can get up to 50 miles an hour before you get to the first driveway. States that it will be costly to have these installed and it's not

going to stop anyone from speeding. They will stop at the stop sign, but they will speed back up once they get past the stop sign.

- **Councilman Emmons-** States that LJA stated that there might be some money left from the GLO grant that we could apply to the speed bumps.
 - **Councilman Mullins-** States that he would rather see the money spent on more roads that couldn't be done when the other ones were done.
 - **Councilman Emmons-** States that we can't use any left-over money on any other roads because the roads were supposed to be done were already done.
 - **Councilman Watson-** States that he doesn't think that it will be effective to have the speed bumps installed.
 - **Councilman Emmons-** States that he wants to look at where the speed bumps should be installed. States that the Sherriff's department is doing a great job right now, but how long is that going to last.
 - **Resident Martha Cline-** States that she witnessed a kid almost get hit and the same vehicle always speeds down Inwood.
 - **Mayor Emmons-** Suggests that she calls the Sherriff's Office or go to the office and let the office know and they will talk to the Sherriff's Office
 - **Resident-** States that she worries about the cars that are sitting low, that they will drag on the speed bumps.
 - **Councilman Emmons-** States that he is wants the speed bumps added because there has already been a child hit and the parents asked why nothing has been done.
 - **Mayor Emmons-** There has already been 2 people killed on Riverbend.
- e. **Consideration/Discussion/Approval of potential ideas for the property that the City purchased on Sweetgum in May of 2022- *There was not a vote on this item.***
- **Councilman Mullins-** States that when we bought the property, we had talked about selling 2- 2 acre lots to recoup the money that was spent on the property.
 - **Mayor Emmons-** Asks City Attorney if the City was to sale that property, would it have to be done through a bid or can we just put it up for sale.
 - **Dru Montgomery-** States that there are a couple of different rules for real estate. We could have a real estate agent do all the work for us.
 - **Cheri Mitchell-** States that there was a resolution put into place that states that all property has to be auctioned off.
 - **Mayor Emmons-** Is that something that we need to look into before the next Council meeting?
 - **Councilman Mullins-** What does the Council want to do?
 - **Councilman Watson-** States that he thinks that it's a great idea.
 - **Councilman Merendino-** States that if the baseball park is still going to be fixed, there will need to be access to it.

- **Mayor Emmons-** Suggests the Councilman Mullins looks into different options and present it at the next Council meeting.

9. Executive Session @ 8:06

- a. The City Council may convene in Executive Session Pursuant to Section 551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.
- b. The City Council may convene in Executive Session Pursuant to Section 551.071 and/or 551.072 and/or 551.073 of the Texas Government Code to discuss matters with its attorney and/or regarding the disposition of the temporary office building that was obtained by a grant through FEMA.
 - **Resume regular meeting @ 8:35 pm**

10. Report

- a. **Councilman Emmons- Roads**
 - **Councilman Emmons-** The only road that won't get much work done is the
- b. **City Hall/Civic Center Renovation Committee- Councilman Merendino, Councilman Watson, Councilman Wright**
 - **Councilman Merendino-** For the City Hall, we projected to spend \$46,304.51. The cost of what was spent was \$47,098.85. TML has a limit of \$50,000. The other building is in the process of being painted. Our projected spending on the Civic Center is \$17,550.00.
 - **Councilman Watson-** The money that was spent was insurance money that we got from Harvey.
 - **Councilman Merendino-** We will still have a little over \$200,000 left out of the insurance money to spend on whatever we want.
- c. **Councilman Mullins- Water Chlorination System**
 - States that once it gets dried up a little more, Utility Innovations will put the new chlorination system in.
- d. **Mayor Emmons- Community Development**
 - States that Erin has stepped back from doing community development because she will be in California more. We will still be doing it on the 4th of July. After the event is over, the Sheriff's Department will shut the road off between Capital and Moss Hill. We need volunteers to help with the 4th of July. We are not sure if there will be a water slide or not yet. We will be doing hot dogs and will have snow cones.
 - **Councilman Merendino-** Is there going to be a tent?
 - **Mayor Emmons-** No.
 - **Councilman Merendino-** What if it rains while you are trying to get everything set up?
 - **Mayor Emmons-** We will have to look at getting a tent.

11. Adjourn meeting @ 8:44 pm- M/M/2/C- Councilman Mullins/Councilman Merendino



Mayor, Cheri Mitchell

Attest:



City Secretary, Jeff Thibodeaux

Approved on this 18 day of April, 2024.

JUNE 22, 2023

**Notice of a Regular Meeting Minutes
CITY OF BEVIL OAKS, TEXAS**

June 22, 2023

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- All present but Mayor Emmons, Councilman Emmons, Councilman Mullins**
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
 - **Resident-** asks what the requirements are on modular homes. States that there are some lots available within Bevil Oaks that he is interested in purchasing but wants to know if modular homes are allowed. States that it would not be like a mobile home, it would be placed on a slab.
 - **Dru Montgomery-** States that he thinks that it would still be classified as a mobile home.
 - **Councilman Merendino-** States that it isn't allowed to put a modular home on a slab.
 - **Councilman Wright-** The ordinance states that it is manufactured homes.
 - **Resident-** states that he wasn't sure how it would classify being that the modular home would be placed on a slab rather than pier and beam.
 - **Councilman Merendino-** States that he can apply for a variance and the Council can decide if they will allow him to put a modular home in.
 - **Resident-** Asks if there is a requirement on square footage when building a home.
 - **Councilman Merendino-** States that he isn't sure. States that most of the lots are single family dwellings.
 - **Dru Montgomery-** There are deed restrictions that can be enforced by the neighbors. The City does not enforce them, but the neighbors can.
6. **Presentation**
 - a. North-West Forest Board Member- Discussion on using Civic Center for their MUD board meeting once a month.- **Not Present**
7. **Review/Approve Consent Items M/M/2/C- Councilman Watson/Councilman Wright- *Approved***
 - a. Financial Reports for City of Bevil Oaks
 - b. Financial Report for Public Works
 - c. Report by Utility Specialties
 - **Councilman Wright-** asks if Entergy pays a franchise fee
 - **Councilman Merendino-** Yes, once a year.
8. **Discussion/Action Items**

- a. **Consideration/Discussion/Approval** of providing authorization to office manager to approve permits for homeowners with slab elevations within six inches of base flood elevation (BFE). *M/M/2/C- Councilman Merendino/Councilman Watson- Tabled*

- **Councilman Merendino-** states that there isn't enough information included to make a decision at this time. States that he isn't sure if they approve this, how it will effect the City as far as FEMA is concerned
- **Councilman Wright-** asks how many homes are that far below BFE
- **Dru Montgomery-** states that he thinks there is 25 to 30. States that he believes there is about 5% of the community. States worse case scenario that if there are homes that are below BFE and they get issued permits, the City could lose being a part of the NFIP (national flood insurance program) States that the City took a hit when the 2-foot rule was taken out.

- b. **Consideration/Discussion/Approval** of removing late fee from customer account. *M/M/2/C- Councilman Merendino/Councilman Watson- Denied*

- **Councilman Merendino-** states that the customer is not present

- c. **Consideration/Discussion/Approval** of changing the procedure of how disconnects are administered. *M/M/2/C- tabled*

- **Councilman Merendino-** States that there is between 50 & 90 people that are late every month.
- **Dru Montgomery-** States that it depends on what day of the month the bills are due as to when the last day to pay is.
- **Councilman Watson-** States that there is a lot of administration time taken away from important tasks because it takes a long time to contact everyone that is on the disconnect list. It's not money well spent when there are other things that need to be done.
- **Councilman Merendino-** States that as long as your payment is in the box by 5 pm, then you are not late.
- **Catherine Currie-** States that there should be a notification sent to the residents before the water is turned off.
- **Councilman Watson-** States that he thinks if there isn't a notification sent out that it will cut down on the number of people that are disconnected because they know if they don't pay, they will be disconnected.
- **Cheri Mitchell-** States that in the City of Beaumont, if your water gets cut off more than twice, they increase the amount of you deposit and you have to pay it before your water can be turned back on.
- **Councilman Merendino-** States that the office sends a work order to the utility company to turn the water off. Sometimes the customer pays before the water is ever turned off, but the City is still charged for it. States that it puts an excessive work load on the one person that is in the office right now to try and contact everyone so that they don't get disconnected.

- **Catherine Currie-** states that the City does not do a good job of getting the notifications out in time.
 - **Councilman Watson-** states that is because there is one person spinning 10 plates to try and get everything done. States that she does a remarkable job for being one person doing everything that she does. States that if someone were to watch everything that she does that they would probably quit.
 - **Councilman Merendino- @ Catherine Currie-** Cathy Crane was sitting in the same position that she was by thinking that the people at the office don't do anything, but when she got hired she realized that wasn't the case. States that it isn't busy every day, but the phone rings constantly. States that he's sure when she went to the office before that Sabrenna probably got a couple of phone calls while she was there. States that Sabrenna is keeping up with both of the buildings (City Hall and Civic Center) that are being renovated right now. States that Sabrenna has a lot on her plate.
 - **Councilman Watson-** States that Sabrenna does a fantastic job with everything that she has going on.
 - **Catherine Currie-** States that there should be a system that can send a mass notification out to the residents letting them know when the bills are due.
 - **Councilman Merendino-** States that not everyone receives an email or text message.
 - **Catherine Currie-** states that they can get a mail notification
 - **Councilman Watson-** States that there have been multiple months that me and my wife haven't received a bill. She calls the office and asks how much the bill is. States that he knows that it's a reoccurring bill every month.
 - **Catherine Currie-** States that there should be an easy way to send out a notification. Suggests hiring an additional person
 - **Councilman Watson-** States that there were two people in the office. One of them got a better job and left and the other is on medical leave. States that Cathy Crane had to be recruited because there was no one else.
 - **Catherine Currie-** States that there has to be a stipulation as to when someone needs their water cut off but there should be some kind of notification.
 - **Councilman Watson-** States that when Sabrenna comes back, it can be addressed.
- d. **Consideration/Discussion/Approval of variance application from new resident- M/M/2/C- Councilman Merendino/Councilman Wright- Approved**
**a one-year variance with the understanding that the new Council could change their mind*
- **Councilman Merendino-** States the residents are in the process of building their home on Inwood. They don't live near Bevil Oaks, so they would like to hook up an RV to live in it during the construction of their

home. They are looking for a variance on ordinance # 241.2.1.a..

Suggests granting the variance. States that the homeowners told them that they should only need a year. **Suggests a 6-month variance due to the fact that there could be different Council members during their variance since elections are in November.**

- **Martha Cline-** states that it will also allow them to get the kids enrolled in school and allow Mr. Cline to be closer to work. It will save them money by living in their RV instead of paying rent somewhere.
- **Councilman Merendino-** States that if they are not ready by the 6-month deadline, then they could come back and ask for an extension.
- **Councilman Wright-** asks Mr. Cline if he thinks that it can be done in 6-months
- **Mr. Cline-** If there was good weather then he probably could get it done in 6 months.
- **Councilman Merendino-** States that they don't want to make a decision for the next Council.
- **Councilman Wright-** asks Mr. Cline how soon he thinks they could move the RV in?
- **Mr. Cline-** states that they have to get the water and sewer, gas and electric installed before they can move the RV in.
- **Councilman Wright-** asks if they are going to put the RV on concrete.
- **Mr. Cline-** states that he is going to bring sand in and pack it down.
- **Councilman Wright-** States that he doesn't think that it can be done in 6 months
- **Councilman Merendino-** asks if he has culverts installed yet
- **Mr. Cline-** No. States that he talked to the County while he was working at the property and they told him that he was responsible for the culverts.
- **Councilman Merendino-** states that he has to purchase the culvert, the City will turn in a work order and the County will install the culverts. States that he believes that the County provides one load of material to go over the culvert.
- **Councilman Wright-** Suggests granting a year variance rather than a 6-month variance.
- **Councilman Watson-** states that as long as the Clines are showing progress, then he agrees with giving them a year variance. States that storm season is coming up too so it would be hard to get it done within 6 months.

9. Reports

10. Adjourn Meeting @ 7:25 p.m.



Mayor, Cheri Mitchell

Attest:



City Secretary, Jeff Thibodeaux

Approved this 18 day of April, 2024.

AUGUST 17, 2023

Notice of a Regular Meeting Minutes
CITY OF BEVIL OAKS, TEXAS
August 17, 2023

1. **Call to Order @ 6:30**
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- All but Councilman Currie 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.**
 - **Nancy Childers @ Councilman Emmons-** Did you ask the County about the ditch behind their house?
 - **Councilman Emmons-** Stated that he spoke with the County, and they said that it is best to survey the ditches when it rains a lot. Stated that even when we do have rain, the culverts look full, however, it's just the water flow that is impeding the culvert that makes it look full.
 - **Mr. Blue-** The ditch that she is mentioning is the ditch that separates the Civic Center property and the backyard of the houses on Davida.
 - **Mr. Thibodeaux –** asks if the roads will be addressed at the Council meeting.
6. **Presentation**
 - a. **LJA Engineering –** Report on road conditions
 - **Victoria with LJA-** States that Council received some pictures of the roads that showed the cracks that have been completed recently. She states that they physically drove every road that was included in the rehabilitation project. A majority of the cracks are less than ½" inch. States that the cracks were extending the depth of the part of the road that Allco repaired. After taking measurements of the depth of the cracks in the road, it extends further than what Allco touched. States that near all the roads are open cut ditches and trees. Being that we are in a drought, the trees are searching for water causing the cracks. Council has asked what can be done about the cracks. Allco has agreed to come back and blow air through the cracks to make sure that there isn't anything in the cracks before they fill the cracks. Ultimately, the cracks are caused by mother nature. Allco is willing to come out and seal all of the cracks. Allco will send a contractor out to seal the cracks because they don't specialize in that. Allco stated that because this is not a workmanship issue, they will not continue to come back out and seal the cracks.

- **Mr. Thibodeaux-** Then should we wait until the drought is over?
- **Victoria-** No, because water will cause an issue.
- **Mrs. Childers-** Will this cost the City anything for the cracks to be filled?
- **Victoria-** No
- **Councilman Watson-** So after they fill the cracks, if we have additional cracks, they won't come back and fill them?
- **Victoria-** No being that the cracks are not caused by workmanship failure.
- **Councilman Wright-** Are we confident that there was an inspector?
- **Victoria-** Yes, we had an inspector on sight when construction was on sight. There were reports done so that everything was done within compliance.
- **Victoria-** When there is a drought, the trees are searching for water.
- **Councilman Merendino-** Recommends that the City get a second opinion because the road construction people that he talked to stated that the cracks were not caused by the drought. States that the cracks that are on the side of the road, will eventually cause potholes.
- **Councilman Watson-** States that the cracks that are on his road, are not on the side of the road.
- **Mr. Clayton-** Can we get a copy of the engineering report stating their findings
- **Victoria-** It's not a Geotech engineer that came out and gave the report. It is the LJA team and evaluated.
- **Dru Montgomery-** What standard indicates that ¼" is okay, but ½" is?
- **Victoria-** States that she doesn't know off the top of her head.
- **Dru Montgomery-** Is there a continual objective process that states that continually throughout the drought it was ½" and now is ¾"? Is LJA documenting the current problems so that if there are future problems, the documentation can clarify if that is a new or old problem?
- **Victoria-** That's something that we can document.
- **Dru Montgomery-** States that he will follow up with Victoria on the documentation for what the current state of the road is.
- **Victoria-** States that she doesn't suggest that the road be torn up right now because it will cause more harm than good.
- **Councilman Watson-** Have you seen this happen somewhere else?
- **Victoria-** Yes. States that she spoke with a different contractor that stated that they are seeing the same thing in Beaumont.
- **Councilman Wright- @ Victoria,** you work for the City, what is your opinion?
- **Victoria-** States that she thinks that it is a drought issue, but states that we need to keep an eye on it.
- **Mayor Emmons- @ Councilman Watson-** you don't have a lot of traffic on your road, do you?

- **Councilman Watson-** Not at all.
- **Councilman Merendino-** The area of Sweetgum that has the most traffic, isn't failing, but in the other areas that are not heavily traveled, is failing. States that he thinks the asphalt is thicker and better on the 105 end of Sweetgum than it is on the Inwood end of Sweetgum.
- **Councilman Wright-** States that it might be a soil issue.
- **Councilman Merendino-** The people that he have talked to states that they didn't stabilize close to the edge of the road, but he had a video of them doing it and they did stabilize the entire width of the road.
- **Councilman Emmons-** When they put the base down, they went a little off the edge of the base with the asphalt.
- **Councilman Merendino-** States that he has a video of when they were doing the road.
- **Resident-** Why doesn't Allco have someone come out and investigate the issue?
- **Victoria-** That is something that Allco may consider.
- **Resident-** States that it's something that needs to be done not something that may need to be done.
- **Victoria-** States that she hesitates on that because when a bore is done, it is going to affect the road.
- **Resident-** Asks if they are taking soil samples on the side of the road to verify the theory of the reason why the road is cracking.
- **Victoria-** Yes, that is done before material is laid.
- **Resident-** Do they take equal samples?
- **Victoria-** The samples are taken every 200 feet.
- **Resident-** Did your Geotech come back and take samples of the road now?
- **Victoria-** That's something that I need to discuss with the City in private because that isn't something that LJA does and it will be an additional cost because that isn't something that was included in the scope of work.
- **Resident-** Asks that the roads in Beaumont are not comparable to the roads in Bevil Oaks because the roads out here are not as heavily traveled as much as Beaumont's are.
- **Victoria-** States that she talked to someone in Beaumont and stated that they are seeing the same thing on the roads that are as equally traveled as Bevil Oaks.
- **Councilman Merendino-** States that the Council meeting that they are in now is having a discussion with the City.
- **Councilman Emmons-** States that the Council meeting is not a private discussion. States that it can be done in executive session.
- **Dru Montgomery-** States there are some discussions that may occur with only two or three Council members rather than the entire Council.

- **Councilman Merendino**- States that the decision needs to be made by the entire Council.
- **Victoria**- How does the City want to proceed for the repairs that Allco will make?
- **Councilman Mullins**- What happens if we have rain before those repairs are made? If they come and fill the cracks now and we get more water in and more cracks appear, are they willing to come back?
- **Victoria**- States that she thinks that is a fair ask and she will talk to Allco about it. Allco isn't saying that they won't come back and work on the roads at all, they are saying that the warranty only covers damages that were caused by their workmanship.
- **Mr. Clayton**- Can you get something that states that the trees are taking the moisture from the roads and that is what is causing the issue?
- **Councilman Wright**- States that the roads are either good or they're not. States that Allco said that the roads were going to be for 12 months and if they aren't then they have a problem.
- **Councilman Mullins**- States that we can't hold them responsible for a drought. States that the part of the Country that we live in, if we get a drought the ground is going to crack and shift. States that there are foundations on homes that have been cracking because there isn't any moisture 6 to 8 feet down in the ground.
- **Councilman Wright**- If we have a City water line break, we are going to fix it regardless of the drought conditions. If they are going to come out and fix the cracks that we currently have and not come back out if we have additional cracks, that's not right.
- **Victoria**- If there is anything that develops potholes, then that is a workmanship issue and they will come out and fix that.
- **Mayor Emmons**- What happens if the drought goes on for 12 months?
- **MR. Blue**- Isn't asphalt allowed to flex.
- **Councilman Mullins**- States that the cracks need to be filled.
- **Dru**- Let's objectively record the current state of the road and see when we want them to come out and fix the road.
- **Councilman Mullins**- States that he would like to vote for Allco to come out and fill the cracks as long as it doesn't void our warranty. If it rains and we get moisture under the cracks, it is a different scenario.
- **Councilman Merendino**- 2 weeks from now if we have more cracks, are they going to come back out and fill those cracks? If we have moisture in the cracks, it's going to cause more problems.
- **Councilman Mullins**- States that he thinks we need to do damage control and fix the cracks that we have now.
- **Mr. Blue**- What happens if when they fill the cracks if it cracks again in the same spot.

- **Councilman Mullins** - made a motion and Councilman Merendino second the motion for Allco to come out and fill the cracks.
- **Councilman Merendino**- If we have more cracks related to the same situation, they should come back out and fill those cracks too.
- **Councilman Emmons**- What happens if we get more cracks?
- **Mayor Emmons**- We went 41 days with no rain, the cracks have been in the road for at least a month.
- **Councilman Emmons**- States that he is reading in between the lines and asks that if additional cracks then it's a different scenario.
- **Victoria**- no, they will not come back out and fill the cracks that are related to the drought.
- **Councilman Mullins**- Can you tell us how much it would cost the City to fill any additional cracks
- **Victoria**- states that she suggests that the City hires a contractor that assesses the roads and fill the cracks as they come
- **Councilman Mullins**- If Allco says that they will not fill additional cracks, can the City afford to fix those roads
- **Victoria**- States that she can get a number together on what that would cost.
- **Councilman Emmons**- States that in the current budget, there isn't anything in the road budget.
- **Councilman Watson**- doesn't approve All other Council approves for the City to get Allco to fix the road
- **Dru Montgomery**- States that he will get with Victoria about a contract.

7. Review/Approve Consent Items- M/M/2/C- Councilman Mullins/Councilman Merendino- *Approved*

a. Report by Utility Specialties

8. Review/Approve Action Items

a. Consideration/Discussion/Approval of 2022 audit previously presented by Charles Reed. M/M/2/C- Councilman Merendino/Councilman Merendino- *Approved*

- **Mayor Emmons**- States that this is the first time in the history of Bevil Oaks that we have gotten the report ahead of time.
- **Councilman Merendino**- States that we asked them for a rough draft before the meeting. They gave it to us a month ahead of time.

b. Consideration/Discussion/Approval of resolution decommitting the City and Public Works insurance funds per the resolution that was made on June 25, 2020. M/M/2/C- Councilman Watson/Councilman Merendino- *Approved*

c. Consideration/Discussion/Approval of voting on and selecting Council officers. *Tabled by the Mayor*

- d. **Consideration/Discussion/Approval** of quote from Texas Fire & Communications for cameras at the City Hall. **M/M/2/C- Councilman Merendino/Councilman Watson- *Approved quote of \$7,775.00***
 - **Councilman Merendino-** States that the videos that will be recorded will go to the cloud and be stored in the cloud. States that he thinks it's a good idea for the cameras to be installed to protect the people that work at the office.
 - e. **Consideration/Discussion/Approval** of quote from Texas Fire & Communications for Security System at Civic Center. **M/M/2/C- Councilman Merendino/Councilman Mullins- *tabled to get additional quotes.***
 - **Councilman Merendino-** States that we have talked to the fire chief, and we do have a little bit of time before we have to make a decision on the system. States that he is waiting on a quote from another company.
 - **Councilman Mullins-** Asks if it is \$10,000.00 to have the fire alarm system installed?
 - **Councilman Merendino-** Yes.
 - **Councilman Mullins-** It's \$10,000.00 for just the fire alarm system and another \$7,000.00 for the camera system.
 - **Councilman Merendino-** States that he would like to have additional quotes.
 - **Councilman Emmons-** Why do we need cameras at the Civic Center?
 - **Councilman Mullins-** Can the City afford to spend \$10,000 on a camera system.
 - **Councilman Watson-** States that he understands why there is a question to the cameras, but they are useful in some situations.
 - **Councilman Merendino-** States that the alarm system is \$1,300.00.
 - **Councilman Watson-** Encourages any of the Council that wants to get a quote.
 - f. **Consideration/Discussion/Approval** of approving Joint Election Agreement and Election Services Contract between Jefferson County, Texas and the City of Bevil Oaks, Texas. **M/M/2/C- Councilman Emmons/Councilman Merendino- *Approved***
 - **Mayor Emmons-** States that the elections will be held at the Civic Center. States that the City will not have early voting.
 - **Dru Montgomery-** States that the fire alarm system will have to be voted on by October.
 - g. **Consideration/Discussion/Approval** of ordering the General Election for November 7, 2023, including approval of early voting locations provided by Jefferson County, Texas as its Election Officer. **M/M/2/C- Councilman Mullins/Councilman Watson- *Approved***

9. Executive Session @ 7:40 pm

- a. The Council may convene to executive session to consult with the City Attorney on pending or potential litigation.

10. Resume Regular Meeting @ 8:00 pm

11. Discussion

- a. Discussion of process for selecting Council members to oversee City departments, such as the water department.
 - **Councilman Merendino**- States that there needs to be a couple of contacts for the Utility company to get in touch with in case of an emergency, i.e. a well going down. There has to be more than one person in case someone is out of town.
 - **Councilman Wright**- States that he thinks there should be a Councilman designated over all the categories in Bevil Oaks, i.e. Water & Sewer, roads, etc. States that someone needs to be watching over the Utility company to make sure that they are doing the job that they are supposed to be doing.
 - **Mayor Emmons**- States that what the City employee(s) are for.
 - **Councilman Wright**- States that although Sabrena does a pretty good job with it, she can't be over everything. Council needs to get involved and provide leadership.
 - **Councilman Merendino**- Suggests putting Utility Innovations on the City email so that they can inform everyone if there is an issue.
 - **Councilman Emmons**- States that is the one thing that don't need to happen because you will have unauthorized people contacting them.
 - **Councilman Merendino**- states that he was talking about just to the Council.
 - **Councilman Emmons**- States that it has been discussed before to have a City manager for that reason.
 - **Councilman Merendino**- No. States that there can be three Council members over the water like there were three Council members over the buildings.
 - **Councilman Emmons**- States that you can have more than one person over an area like the water/sewer, but you need one principal over that so that everyone is trying to fix one thing at the same time.
 - **Rita Williams**- States that you need one head person to take care of things and they can let everyone else know what is going on. You can't have everyone in charge. The Mayor should be contacted first then it can go down the line if no one else is available.

12. Reports

a. Mayor Emmons

- **Mayor Emmons**- States that anyone that tries to reach the commissioner, he is out of the office right now because he had a stroke last week. States that the election is

coming up and we need people to sign up. There are a few people that have signed up. Next month, Cheri Mitchell will be giving a report on a few things. We will be putting an add in the paper soon for the maintenance department.

b. Councilman Mullins

- **Councilman Mullins-** Talking about the water well. We have some bids in to take care of the problem. We can't let it sit any longer. We have well # 2 out and well #3 trips every now and then.
- **Councilman Merendino-** States that well # 3 is the big well.
- **Councilman Mullins-** States that we have 3 different bids in to fix the well.
- **Councilman Merendino-** States that well # 2 was down, so he called a friend that owns a well business. They came out and they stated that the pump was running in reverse.
- **Councilman Mullins-** asks why the well was running before this week if it is running backward.
- **Councilman Watson-** states that Entergy has come out due to electrical issues and they swapped two of the wires that are running the well.
- **Councilman Mullins-** asks what we are going to do to fix the problem?
- **Councilman Watson-** States that it's done.
- **Councilman Merendino-** States that two and three are working but well one is running in reverse, but they will be back in the morning to fix it.
- **Rita Williams-** States that this is what she was saying about the communication issue with having too many people in charge of one thing. The person that is giving the report (Councilman Mullins) doesn't even know what is going on.
- **Councilman Watson-** States that she is right about that.
- **Councilman Mullins-** States that he could have been called and been informed that the problem was already fixed because he is wasting time making a report for something that has already been fixed.
- **Councilman Watson-** Agrees and apologizes because he wasn't aware that Councilman Mullins didn't know about that situation.
- **Mr. Clayton-** Communication could have fixed it.
- **Councilman Watson- @ Councilman Mullins-** States that he knows the stuff that he is going through right now and he (Councilman Watson) didn't want to burden him (Councilman Mullins) with the burden of the problems that were going on with the well.
- **Rita Williams-** A text message could have eliminated all of this.
- **Councilman Watson-** States that they were just trying to help but admits that it was their mistake that Councilman Mullins wasn't aware of the situation.

c. Councilman Wright

- **Councilman Wright-** States that the double-wide trailer that the City received from FEMA is no longer needed. States that FEMA has a regulation for disposing of property that they funded. It has to be advertised and sold for fair market value. The City will receive 10%

of that back minus the City's cost i.e. advertising. States the advertising will be going in the Examiner this week.

d. Councilman Emmons

- **Councilman Emmons**- States that phase two on the roads is going to start next week. Phase two is the County is going to come in and use all the rock that is piled by the old office to repair all the roads that weren't done in the road grant. States that it will be two layers of chip seal. It has to be done in two phases. States that they will have to do some pothole repairs first. States that they will put oil and rock down and let it sit for 30 days. They will come back and put the second layer down. The only stipulation is they only do ½ mile a year. They will be doing roughly two miles this time. This will cover us for 4 years. States that they will furnish the manpower and equipment and we will have to furnish the materials. States that they will have to have a tanker, but they are not going to put it on our roads. They are going to do the unloading on Tram Road and haul it to Bevil Oaks. States that he will be out this weekend to mark the roads that they need to do. States that everything should be done by the first of October.
- **Councilman Wright**- asks what roads are going to be done?
- **Councilman Emmons**- States that if the road wasn't done by the grant, it will be done when the County comes out to do the work.
- **Councilman Mullins**- asks if it will patches.
- **Councilman Emmons**- States it will not be patches; it will be the whole road.
- **Resident**- States that Thousand Oaks is halfway done.
- **Councilman Emmons**- States that the rest of the road will be done if the road is in bad shape.
- **Councilman Merendino**- Asks how many roads were done in asphalt?
- **Councilman Emmons**- States that there is 23 miles of roads in Bevil Oaks. There were around 20 miles that were done with asphalt.
- **Councilman Wright**- States that it will be dusty for a while.
- **Councilman Emmons**- States that he is notifying everyone right now that they will be starting work on the roads next week. States that almost everyone doesn't travel the roads during the day when they will be working but be prepared if you are. States that they will not be stopping traffic.
- **Councilman Merendino**- Asks if they are doing all the roads that aren't asphalt, why they need to be marked?
- **Councilman Emmons**- The County requested that the roads be marked.

- **Resident**- States that the biggest issue that the parents had when they were working on the road before was that the communication with the school was not done and the parents were having to follow the school bus to get their kids on/off. Who is in charge of communicating that with the school? Also, is there a way to know which roads they will be working on?
 - **Councilman Emmons**- States that the County will only be here for 2 weeks. Next week and sometime in September.
 - **Resident**- When they come, shouldn't you have a list of the roads that are going to be done?
 - **Councilman Emmons**- States all the roads will be done. States that they will let people through.
 - **Mrs. Cline**- States that they don't want to be waiting for 2 hours to get their kids off the bus or trying to get them to school.
 - **Mr. Clayton**- states that someone needs to ask that there be a grace period for the kids to be dropped off/picked up because there is going to be road work going on in the neighborhood.
 - **Mrs. Emmons**- States that Sabrenna will contact the school.
- e. **Councilman Merendino**
- **Councilman Merendino**- States that the buildings are basically done. States that there are a few odd and ins left to do, though. States that City Hall was done for around \$47,000. The Civic Center is currently around \$30,000. States that we are well under the TML rule of \$50,000. States the money came out of the insurance fund that the City received from the TML insurance after Harvey. States that the money that is left over in the insurance account will be put in the general fund.

f. **Councilman Watson**

g. **Councilman Currie**

13. Adjourn Meeting @ 8:24 pm

Mayor, Cheri Mitchell

Attest:

City Secretary, Jeff Thibodeaux

Approved on 18 day of April, 2024.

AUGUST 17, 2023

**** EMERGENCY MEETING ****

Notice of an Emergency Meeting Minutes
CITY OF BEVIL OAKS, TEXAS
August 17, 2023

1. Review/Approve Action Items @ 8:24 pm Councilman Merendino/Councilman

Emmons- *Dismissed due to the problem already being resolved.*

- a. **Consideration/Discussion/Approval** of various written submissions to evaluate the cost for immediate repair, maintenance, or other actions necessary to return Well No. 2 to full function and the select of a contractor to perform the evaluation, and if possible, repairs limited to the initial bids.
- b. **Consideration/Discussion/Approval** of a total amount of authorized repairs after the evaluation by the contractor selected pursuant to 1(a) if such amount exceeds the approved bid estimate, the person(s) permitted to authorize the repair and negotiate and execute an emergency repair agreement.
- **Councilman Wright-** States that the items that are on the agenda have already been discussed in the regular council meeting prior to the emergency meeting.
- **Councilman Merendino- States that Well 2 has been fixed.**
- **Councilman Mullins-** Asks if the guy who worked on the well was licensed and bonded?
- **Councilman Merendino-** Yes.
- **Mayor Emmons-** asks for a motion to approve the items as they are written.
- **Councilman Merendino-** moves to dismiss the items since the problem has already been resolved.
- **Mayor Emmons-** Asks for any further discussion.
- **Councilman Watson-** @ Councilman Mullins- states that Councilman Mullins mentioned that there was an issue with well 3 tripping and that hasn't been addressed. Asked Councilman Mullins if there is something that he needs to discuss on well 3.
- **Councilman Mullins-** States that this meeting is over well 2.
- **Councilman Watson-** States that if there is an issue with well 3 then the problem needs to be addressed.
- **Councilman Merendino-** states that well 3 is on a separate pole and the problems that we are having with well 3, is an Entergy problem.
- **Mayor Emmons-** Suggest adjourning the meeting being that the items were dismissed.

2. Adjourn Meeting @ 8:27 pm



Mayor, Cheri Mitchell

Attest:


City Secretary, Jeff Thibodeaux

Approved 18 day of April, 2024.

SEPTEMBER 05, 2023

*** PUBLIC WORKS BUDGET MEETING ***

Notice of a Budget Meeting Minutes

CITY OF BEVIL OAKS, TEXAS

September 05, 2023

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- All present except, Mayor Emmons, Councilman Currie, and Councilman Mullins
4. Conflict of Interest Statement- None
5. Discussion
 - a. Discussion shall be limited to evaluation of current budget and of items pertinent to establishing the budget for the City of Bevil Oaks Public Works for fiscal year 2023-2024. The City will receive input from private persons and entities including but not limited to its engineering firm, legal counsel, accountant, personnel with specific information related to the proposed budget.
 - Charlotte Yeates- Revenue-
 - Water-States that year to year we have gained connections.
 - Fees- This is fees that are accumulated through late fees, tap fees, disconnect fees.
 - Sewer- States that It is less than what we receive for water due to paying City of Beaumont.
 - Councilman Watson- Asks where Charlotte see's the increased revenue coming from?
 - Charlotte – New connections. These numbers are based on the current connections.
 - Councilman Watson- Does anyone keep track of the number of connections?
 - Charlotte Yeates- Yes
 - Sabrenna Crain- States that she has a spreadsheet that keeps up with all of that.
 - Charlotte Yeates- States that the budgeted numbers are according to not having a rate increase on anything. States that prior to Harvey, the rates weren't increased for 10 years. States that if two or three years go by without a rate increase, you may want to do a cost-of-living increase. States that the costs are going up. Suggests that it may be time for a small increase on water rates.
 - Councilman Merendino- States that they were thinking about lowering the water rate since that seems to be everyone's concern, but we didn't want to come back four months later and raise it back up.

- **Charlotte Yeates-** States that other City's that are the same size as Bevil Oaks, are higher than what Bevil Oaks is.
- **Councilman Emmons-** States that this has been brought up before, but it's not the water rates that are high, it is the sewer rates. The sewer rates are higher due to the cost to fix the sewer.
- **Charlotte Yeates-** States that we are trying to reduce the user fee. The user fee is designated specifically for paying off the bond. One of the things that the Council decided earlier in the year, was to pay off the Badger Meter. That should be reflected on the financials this month. States that once it is paid off, it is still in the budget to add to that so that once it is built up, we can lower the user fee again. States that she isn't sure that it could be lowered this year, but maybe by the time the next budget gets here.
- **Councilman Wright-** Asks if we will have the Debt service paid off by the end of the month?
- **Charlotte Yeates-** States that the \$24,000 will be put toward the bond debt fee after the Badger meter is paid off. States that if we keep budgeting that \$24,000, we can put that toward the bond.
- **Councilman Wright-** asks if that will be reflected on the monthly balance sheet?
- **Charlotte** – It only gets paid twice a year, so you're only going to see it in actual when it gets paid. It gets paid in August and February, so you will see it reflect in those financials. It isn't a monthly payment. One is an interest payment of around \$27,000 and the next payment will be the principal plus the other half of the interest. States that it will be around \$108,000 all at once.
- **Councilman Watson-** Asks what the danger of pulling money out of the operational budget to pay toward the bond?
- **Charlotte-** It is normal for a City, County, or municipality to have a debt. The City had to implement a debt user fee to cover the expenses because the property taxes and the water revenue were not covering it. Normally you want your normal operating revenue to cover any debt or depreciation. The only danger is if there is another Harvey. That's why another part of paying off the Badger is important because it will fund the debt service savings account to one full year of payment for the Bond Debt service.
- **Councilman Wright-** If you continue to build up, then there is an opportunity to have the funds to do something else with it.
- **Charlotte-** We will only do it for a year and that money won't be touched in case we need it. It will just gain interest.
- **Councilman Watson-** States that there are accounts that are gaining interest. Is there anyone that is overseeing that?

- **Charlotte-** States that the City does have an investment policy in place, but Council does not have anyone that is a financial officer. There is supposed to be one someone will have to go through training to be one. It is actually required by law.
- **Councilman Watson-** Asks Charlotte if she is saying that we can't take advantage of the higher interest rates because we don't have anyone that is authorized to change it?
- **Charlotte-** At one point, there were some bonds and maybe a cd that the City was purchasing. It's all part of the investment policy.
- **Councilman Watson-** Asks what kind of money it would be to invest in a cd?
- **Charlotte-** States that if there is cd then it can be no more than one year maturity.
- **Jeff Thibodeaux-** We don't have an attorney on Council, but we do have Dru. Could we have a contract initiator?
- **Charlotte-** You can, but then you get into fees. You have to monitor what they are investing in because you only have certain investments. In the Public Works, there is \$475,000 in operating acct. In Tex Pool, which is an investment pool that has \$175,000.
- **Councilman Watson-** How much money is that making?
- **Charlotte-** In June, (looking for the last statement to give an accurate answer)
- In the investment policy it says you can invest in a cd and an investment pool. States that the investment policy might need to be looked at in October. The obvious choice would be to look at what Stellar Bank offers. The other part of the investment policy, you have to have a pledge agreement, which you have at Stellar. All of your accounts are at one bank. They buy bonds in the name of the City to cover what your deposits are. They have to review it monthly. You get a monthly statement that shows that tells you what the bonds are that they bought.
- **Councilman Wright-** Asks if we have one bank?
- **Charlotte Yeates-** Yes.
- **Councilman Merendino-** asks when we got down to one bank?
- **Charlotte -** States that we have always had one bank. States that the most recent investment policy that is in place is from 2010. Suggests that the Council needs to discuss the investment policy in October or November and needs to set up the investment policy to be reviewed annually and an investment officer needs to be appointed. States that there is training through TML that can be taken for the investment officer.
Continues to go over the budget.
- **Charlotte-** Billing Sewer expense is what you pay the City of Beaumont. States that the City of Beaumont are going to be raising their rates soon.
- **Councilman Wright-** States that we may need to increase the projected rate.

- **Charlotte-** States that she will highlight the rate to look into increasing it.
- **Councilman Merendino-** States that if we had a sewer plant, the fee would be much higher.
- **Charlotte-** States that the increase for the accounting services is due to several circumstances. States that the cost for the accounting should not be as high next year. States there will be another single audit next year due to the grant funds that have been spent. A single audit is if you spend over \$750,000 in federal funds. It is a separate audit that is done at the same time as the regular audit. It is a compliance audit.
- **Councilman Merendino-** Asks if the single audit expense is covered under grant funds?
- **Charlotte-** No. States that in a year that there is not a single audit, the audit fee will be less.
- **Councilman Merendino-** Asks how much a regular audit costs?
- **Charlotte-** States that it is probably the \$8,500. A single audit is \$3,000-\$4,000.
- **Councilman Merendino-** States that the budget says \$9,250, but that fee is doubled because this just included the Public Works portion of the fee.
- **Charlotte-** If there aren't any new grants and the road grant is finished by September, then there should just be a regular audit. Charging the auditor fee to the grant is against the rules. States that with the road grant, the City was allowed to use other grant funds to cover their 10% portion of the grant. Stopped at 48:39 on the recording...Continues to go over budget items...
- **Depreciation-** is to build the reserve.
- **Councilman Merendino-** It's not real money that we are spending?
- **Charlotte-** No. It is money that could be used for capital projects.
- **Councilman Merendino-** What about the insurance funds?
- **Councilman Emmons-** Is this just for elevated towers and water lines?
- **Charlotte-** It is anything that is for Public Works. Anything that is a capital asset that will last over a year.
- **Charlotte- Insurance Funds-** states that there is a resolution that was made to decommit the insurance funds. That insurance money PW \$355,000. City General- \$203,000. Everything that was done at the City Hall and Civic Center was funded out of the City General account. The funds that were used for those projects were paid straight out of the City General operating, so the public works has to refund the City Fund. You want to keep 3 months of operating funds in the account. The rest of the funds can be put into cds of whatever the City chooses to do. For the insurance funds, the accounts can just be renamed.
- **Councilman Watson-** We could conceivably have half a million dollars to invest.

- **Charlotte-** Yes. If you go back 8 years, you will be surprised at how much money the City has now compared to back then.
- **Councilman Emmons-** States that he wanted to remind everyone that the inner-City sewer lines need to be replaced.
- **Charlotte-** States that you want to be in a good financial position to be able to get grants to fix that. Continues to go over budget...
- **Councilman Merendino-** States that we should probably increase that amount due to having generators now.
- **Charlotte-** States that she will increase it.
- **Continues to go over budget...**
- **Councilman Wright-** asks what the 811 locates are.
- **Sabrenna Crain-** explains that we have to pay 811 for the call and pay Utility Innovations to locate the city water and sewer lines
- **Charlotte-** continues to go over budget...
- **Councilman Wright-** Is the projected cost just for Utility Innovations
- **Charlotte-** Yes
- **Continues to go over budget...**
- **Charlotte Yeates-** States that she can't see the user fee coming down until there are more connections.
- **Continues to go over budget...**
- **Charlotte-** What Council needs to decide whether they want to have a capital project savings, separating that money from the other money. It doesn't have to be committed. A capital project savings account could be opened.
- **Is there anything that needs to be changed.**
- **Increase amount for Sewer expense.**
- **Charlotte-** There are some contractors that are not reputable. She advises that the Council carefully considers using a different contractor.
- **Councilman Emmons-** States the price of pipe and material are steadily rising.
- **Charlotte-** States that she needs to know if Council wants to go up on the budget that is set for maintenance and materials. States that the budget set in place is currently \$70,000.
- **Councilman Wright-** asks what we have pumps for?
- **Councilman Merendino-** States that we have pumps for the sewer plant, lift stations and water well.
- **Sabrenna-** Explains that the pumps listed in the budget was for pumps that the City had to purchase last December for the sewer plant.
- **Councilman Wright-** Asks if the sewer plant pumps are included in the maintenance and materials?
- **Charlotte-** all the sewer and water maintenance is included in the maintenance and materials budget.
- **Councilman Merendino-** Utility Innovations does our locates.

- **Councilman Wright**- Part of the maintenance is tie in's, which the City get reimbursed for.
- **Charlotte**- There's only one or two of those a year.
- **Councilman Merendino**- States that we charge them more than what the tap is, so the City makes money off of that.
- **Charlotte**- States that she will make the changes that Council will requested and send a clean copy to be approved at the next Council meeting.

- **Charlotte**- States that they will be discussing the tax rate at the meeting on Thursday. States that historically, the City has chosen the no new revenue tax rate. States that if they chose to do the voter approved tax rate, that is the highest rate that Council can pass. States that with the no new revenue rate, the City would receive around \$ 117,000 in property taxes. States with the other rate the City would get around \$130,000.

6. Adjourn Meeting @ 8:33 pm Councilman Watson/Councilman Wright



Mayor, Cheri Michell

Attest: 

City Secretary, Jeff Thibodeaux

Approved on this 19 day of September, 2024.

SEPTEMBER 07, 2023

*** CITY GENERAL OPERATING
BUDGET MEETING ***

Notice of a Budget Meeting Minutes

CITY OF BEVIL OAKS, TEXAS

September 07, 2023

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- Present- Councilman Merendino, Jim Wright & Councilman Emmons ... Not Present- Councilman Watson, Councilman Mullins & Councilman Currie
4. Conflict of Interest Statement - None
5. Discussion
 - a. Discussion shall be limited to evaluation of current budget and of items pertinent to establishing the budget for the City of Bevil Oaks for fiscal year 2023-2024. The City will receive input from private persons and entities including but not limited to its engineering firm, legal counsel, accountant, personnel with specific information related to the proposed budget.
 - Charlotte- States that when the pertinent items, it was pertaining to the 2023-2024 tax rates. Goes over the tax rates that were assessed by the Appraisal District. States that the City has chosen to go with the No-New- Revenue Tax rate since she has been working with the City. States that the Council does have the option to choose a rate that's between the no-new-revenue tax rate and the voter approval rate if that is something that they would like to do, but that is not something that has been done before.
 - Councilman Wright- asks... the County has already figured up the tax value?
 - Charlotte- Yes.
 - Councilman Wright- asks what if we have more houses?
 - Charlotte- states that as the City grows the sales tax will grow.
 - Charlotte- Continues to go over budget...
 - Councilman Emmons- Asks when the last time was when someone looked at the franchise fees that we are receiving.
 - Cheri Mitchell- States that she looked into it when she was on Council and they told her that the water department has to call them monthly and let them know how many water connections we have.
 - Charlotte- continues going over budget.
 - Councilman Wright- Asks if the firework stand pays taxes.
 - Charlotte- States that there may be a report that can be pulled on the comptroller's website.
 - Charlotte- continue to go over budget.

- **Charlotte-** states that if the Council knows for sure that there was going to be a project done, they could increase the budgeted amount for the capital expenditures.
- **Councilman Wright-** States that's why it's important to do a meeting to discuss the future plans for capital projects.
- **Charlotte-** continues to go over budget
- **Councilman Emmons-** states that the amount of money that the City allotted for the road work that will be done with the rock that's at the old City Hall. States that we will need to add another \$50,000 to do the two miles of roads. That's not counting pothole fill.
- **Councilman Wright-** This work will cover 4 years' worth of road work. We will not get any additional work done for 4 years.
- **Councilman Emmons-** Right.
- **Councilman Wright-** States that there hasn't been any work done the last 4 years, so how is that right?
- **Councilman Emmons-** States that he argued that as well. States that they will do extra work this time to help make up some of the work that wasn't done the last 4 years.
- **Councilman Wright @ Councilman Emmons-** how much more do you think needs to be added to the budget to cover the cost of the work that is going to be done?
- **Councilman Emmons-** Another \$32,000. There is supposed to be enough money in the account to cover the cost of this work.
- **Charlotte-** States that there was \$160,000 in the account before the road project. States that the City's share of the road project was \$200 and something thousand. States that the ARPA funds did not cover all of the City's portion of the grant. States that the road fund account was used to fund some of the road project. Right now, we don't have much money in the road account. States that Sabrenna, Janet, and herself are going to get together and reconcile the road grant so that all the expenditures are taken out of the right account.
- **Councilman Wright @ Councilman Emmons-** How much more will need to be added to the road fund to cover the remainder of the work that needs to be done by the County?
- **Councilman Emmons-** around another \$50-\$60,000.
- **Councilman Wright-** What about pothole repair? Do they use our tax money to pay for that or is it a separate cost?
- **Charlotte-** It's usually around \$5,000/year. You just have to pay for the material.

- **Councilman Merendino**- asks that instead of the \$20,000 that was budgeted for the road fund, now has to be changed to \$60,000?
- **Councilman Emmons**- Yes
- **Councilman Merendino**- That has to be taken out of the general fund account to put in the road account?
- **Charlotte**- States that the building projects were around \$90,000 together. The public works insurance account still has to pay back the general fund for it's half of the building project, so we can tag that money for the roads.
- **Cheri Mitchell**- aren't the franchise fees supposed to be used for roads?
- **Charlotte**- yes, but that has never been done before.
- **Cheri Mitchell**- states that is something that we need to look into doing.
- **Charlotte**- States that she would like to see the account go to \$0.00 before moving money into it. Then it can be more like a savings account for the roads.
- **Charlotte**- States that the budget for the road account is \$82,000.
- **Continues to go over budget...**
- **Councilman Emmons**- States that no money has ever been budgeted for roads, that is why we have to budget for it now.
- **Councilman Merendino**- States that the franchise fee will cover the expenses.
- **Councilman Wright**- states that he was asked by Mayor Emmons to come up with a job scope for a maintenance department. States that the more that he looked at it, that would be better done by a service contractor.

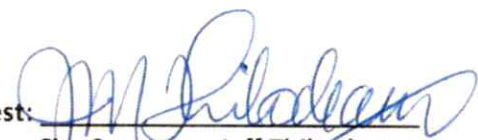
6. Review/Approve Action Items

- Consideration/Discussion/Approval** of options for tax rate per truth-in-taxation requirements. Approve proposed tax rate for consideration and comment by public at hearing prior to approval of tax rate by City Council.
- **There was not a quorum present to take a vote.**

7. Adjourn Meeting @ 7:49p.m. Councilman Emmons/Councilman Merendino



Mayor, Cheri Mitchell

Attest: 
City Secretary, Jeff Thibodeaux

Approved on this 19 day of September, 2024.

SEPTEMBER 12, 2023

**** SPECIAL MEETING ****

Notice of a Special Meeting Minutes
CITY OF BEVIL OAKS, TEXAS
September 12, 2023

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-** All but Councilman Mullins 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.
 - **Matt Godfrey-** introduces himself. States that he has noticed some positive changes within the City since Harvey. He states that he thinks there is good unity happening. States that he is concerned about the water bill. States that he thinks that the office needs to be tightened up. States that he has noticed some unwanted traffic within the neighborhood and that Jefferson County needs to be contacted about it. States that strange things are starting to happen. States that when it comes to policing the community, it will take Jefferson County at least 10 minutes to get here. States that we need to talk to Jefferson County to see if we can get additional patrolling out here. States that he is concerned about unwanted traffic. States to be observant of the vehicles license plate numbers for Jefferson County. States that he is confused as to why the water bills are so high. Asks if someone can get with him after the meeting to clarify the situation. States that if we come together, things will work out a little better for the community.
 - **Councilman Merendino-** States that we have looked into the water situation, and states that we have made a mistake. States that the percentage of the bills that have had mistakes, is very low. States that the police station comes out here a lot and they do what they can being that we are so far out.
 - **Councilman Watson-** States that we have talked to the Sherriff office and offered them the Civic Center as a rest area. States that it has been brought to our attention that we are having an issue with the check reader
 - **Councilman Merendino-** states that the residents need to start coming to the meeting with their concerns because we can't do anything about the comments on Facebook. States that he just got notice that the City of Beaumont just raised their rates and that is going to affect us.
 - **Councilman Emmons-** States that the water rates seem to be a concern at all of the meetings, but the water rates that the City has is not the issue. The water rates are lower here than the surrounding areas. The sewer rate is what is the issue. We have to pay the City of Beaumont for our sewer consumption.

- **Catherine Currie-** States that the user fee isn't going to affect the water bill that much.
- **Councilman Wright-** States that the water bill isn't going to go down even when the user fee goes down. States that the water rate is the same as the surrounding areas, it's just a matter of scale.
- **Councilman Currie-** It has to be because the sewer going to Beaumont, right?
- **Councilman Merendino-** States that the City of Beaumont includes sewer and garbage in their bill. States that our bills are high.
- **Erin Gentry-** Will it change when more people come back out here?
- **Councilman Merendino-** States that our rates might have to go up if the City of Beaumont continues goes up.
- **Councilman Watson-** States that when he got on Council, his intent was to lower the water bills, but that is not going to happen.
- **Matt Godfrey-** What about the sewer plant?
- **Councilman Wright-** States that we had no choice but to do away with the Sewer plant and it was too costly to fix. We were getting too many TCEQ violations because of the way the sewer plant was. States that we are at the discretion of Beaumont because of their rates.
- **Cheri Mitchell-** States being the sewer rates went up in the City of Beaumont, the City will have to absorb that extra costs being that the Council didn't discuss raising the rates during the budget meeting
- **Councilman Merendino-** States that if we were to raise every household, it wouldn't generate that much money for the City.
- **Erin Gentry-** States that there are several things that the City can do to make money.
- **Councilman Watson-** States that the City is making money.
- **Erin Gentry-** States that there are several things that are getting done. States that there are some things that can be done to generate additional money for the City.
- **Councilman Wright-** States that the City does make money off the sales tax and that helps out.
- **Matt Godfrey-** States that there needs to be more events within the City
- **Erin Gentry-** States that there will be more events
- **Councilman Merendino-** States that is part of the reason why we got the building fixed so that events can be held at
- **Erin Gentry-** States that she would like the City to be somewhere to be proud of
- **Councilman Merendino-** States that is something that we are working on.
- **Resident Murrell Stewart-** Asks if there is a five year plan out here?
- **Councilman Wright-** No
- **Councilman Merendino-** Asks Chief Gonzales if they are notified if there is a flush happening?
- **Chief Gonzales-** States that is the water department that does the flushing. States that they would like to be notified

6. Review/Approve Action Items

a. Consideration/Discussion/Approval of accepting the resignation of Mayor Emmons- *Approved M/M/2/C- Councilman Wright/Councilman Wright-Councilman Emmons abstained from voting*

- **Councilman Merendino-** States that he has some questions for the attorney
- **Dru Montgomery-** He may ask any questions, however, if it was discussed in attorney/client discussion, he may not be able to discuss it publicly.
- **Councilman Merendino-** Reads Mayor Emmons resignation letter. Asks the City attorney to disclose the information of what "violation of the oath of office" in her letter mean
- **Dru Montgomery-** States that it was disclosed in attorney/client discussion so he can't disclose that publicly
- **Councilman Merendino-** States that he was given the information that the Mayor was resigning and states that she had the City credit card. States that a City employee quit because of her. States that it was his understanding that any time an employee quits, the locks need to be changed. States that he was told by the City attorney that the Mayor resigned several times and he talked her out of it.
- **Dru Montgomery-** States that what Councilman Merendino just said was attorney/client privilege. Many members of the Council have tried to resign, but there is a certain way to do it. Until it is done correctly, it is not considered a resignation.
- **Councilman Merendino-** States that to him when she told him that she resigned, even though it was not done correctly, to him that meant that she resigned.
- **Matt Godfrey-** Stated that the letter was on Facebook before the meeting.
- **Councilman Merendino-** States that she sent the letter to one of her friends and they put it on Facebook.
- **Councilman Merendino-** States that the Mayor did do a lot of good while she was here.

b. Consideration/Discussion/Approval of accepting/declining the withdrawal of Council candidate- *Approved- Unanimous- M/M/2/C- Councilman Merendino/Councilman Currie*

- **Councilman Merendino-** States that someone signed up and withdrew their application
- **Dru Montgomery-** states that normally there are election officers in other City. We do not have one, so Sabrenna accepts the forms. To keep Sabrenna from being the only one accepting the application.

- **Councilman Watson-** Was the application withdrawn within the timeline?
 - **Dru Montgomery-** Yes, the application was withdrawn within one of the two timelines. The first timeline was not met. It was five days too late, however, the second one was met because the ballots have not been prepared.
- c. **Consideration/Discussion/Approval** of appointing an interim Mayor.
M/M/2/C- Councilman Wright/Councilman Merendino- *Approved- Cheri Mitchell to be the interim Mayor.*
- **Councilman Merendino-** Cheri Mitchell is the only one that signed up for the Mayor position in November. States that putting Cheri Mitchell in the position since she will be the Mayor come November is a good decision.
 - **Councilman Wright-** Suggests that the Council finish the meeting with the exception of the executive session before swearing Cheri Mitchell in.
- d. **Consideration/Discussion/Approval** of cancelling the 2023 elections due to all candidates running unopposed. **M/M/2/C- Councilman Emmons/Councilman Watson- *Approved***
- i. **Approve Issuance Order of Cancellation**
 - ii. **Approve Certification of Unopposed Ward and Mayoral Candidate(s)**
 - **Dru Montgomery-** States that Sabrenna will certify the certification of unopposed candidates. States that the Mayor will sign the order of cancellation.
 - **Cheri Mitchell-** States that once she is sworn in, she suggests to get Sabrenna and Cathy the training that they need to become election clerks.
 - **Councilman Emmons-** States that even though the City doesn't have anyone running for Council, the County will still be holding the elections at the Civic Center.
 - **Councilman Merendino-** States that we have not received any additional quotes for the fire alarm system so that has to be done before the elections can be held in the building.
 - **Councilman Watson-** States that the protocol is that we have three bids for everything, so we are trying to get additional bids.
 - **Councilman Merendino-** States that they have reached out to who they could find and they have only received one bid.
 - **Cheri Mitchell-** Asks the fire chief if there has to be a monitored fire alarm system or will the fire extinguishers work?
 - **Cheri Mitchell-** What do you mean by doing a fire suppression system?
 - **Councilman Merendino-** States that we don't need a fire suppression system.

- **Chief Gonzales-** States that the fire extinguishers that are in place will work, they just need to be mounted on the wall. States that there doesn't need to be a fire suppression system since there isn't a stove.
- **Councilman Merendino-** States that if we need to leave the doors open for election day, we can.
- **Chief Gonzales-** States that the exits are marked, but the fire extinguishers need to be placed by each exit.
- **Consideration/Discussion/Approval** of options for tax rate per truth-in-taxation requirements. Approve proposed tax rate for consideration and comment by public at hearing prior to approval of tax rate by City Council. **M/M/2/C- Councilman Merendino/Councilman Wright Approved the no-new-revenue tax rate of \$0.130464/\$100**
- **Councilman Merendino-** States that the City will not be increasing the tax rate.
- ***Cheri Mitchell is sworn in as the Mayor***

7. Executive Session @ 7:36 pm

- a. Section 551.071 – for the Board to seek the advice of its attorney about pending or contemplated litigation;
- b. Section 551.074(a)(1) or (2) – to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee.

8. Resume Meeting @ 8:45 pm

9. Adjourn Meeting @ 8:50 pm- M/M/2/C- Councilman Watson/Councilman Currie

Cheri Mitchell

Mayor, Cheri Mitchell

Attest: Doug Mullins

City Secretary, Doug Mullins

SEPTEMBER 21, 2023

Notice of a Regular Meeting Minutes
CITY OF BEVIL OAKS, TEXAS
September 21, 2023

Tax Hearing @ 6:25 pm

Mayor Mitchell- States that there isn't an increase in the tax rate. There were no comments from the residents.

Adjourn Protest Hearing @ 6:27 pm

1. **Call to Order @ 6:28 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- All 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. - **None**
6. **Presentation**
 - a. Presentation presented by Carson Alexander and/or Jim McCartney on development within the current Vautrot trailer park.
 - **Carson Alexander-** States that he is looking to add new spaces across the street from the mobile home that is currently in place. States that they are looking at adding 30-32. Suggests that the City install the meters
 - **Mayor Mitchell-** Asks if he has read the ordinance?
 - **Carson Alexander-** Yes
 - **Mayor Mitchell-** States that there may have to be some changes made.
 - **Councilman Wright-** States that any new development would be expected to be brought to code. States that a capacity study on our water and sewer system would need to be performed to make sure that we could facilitate those extra connections.
 - **Carson-** States that he understands that there are some things that need to be done.
 - **Mayor Mitchell-** States that in the ordinance it states that the owner must live on the property.
 - **Carson-** States that they won't be able to do that, but there will be a manager on site.
 - **Mayor Mitchell-** States that the way that the property is laid out in the drawing, it may have to be changed to meet the requirements.

- **Councilman Emmons-** States that the people in the back won't be able to get out with the way that the road is laid out right now.
- **Mayor Mitchell-** States that the road that is there now, is not a public road, it is a private road.
- **Carson-** states that is something that they would have to look into.
- **Councilman Wright-** asks if it will be rented homes that they are purchasing or if it will be homeowners parking their trailers there.
- **Carson-** states that they don't like to be landlords, so it will be for the homeowners to park mobile homes in
- **Councilman Wright-** asks how much land is there?
- **Carson-** States that it is 10-11 acres.

7. Review/Approve Action Items

- Consideration/Discussion/Approval of development of property in trailer park-** *M/M/2/C- tabled- Councilman Merendino/Councilman Currie- tabled* until Carson brings all of his plans and they will decide on accepting it.

8. Review/Approve Consent Items- M/M/2/C- Councilman Mullins/Councilman Merendino- Approved- Unanimous

- Financial Reports for City of Bevil Oaks- July & August
- Financial Reports for Public Works- July & August
- Report by Utility Specialties
- Previous Meeting Minutes
 - **Councilman Merendino-** On Utility Innovations report some of the amounts that are on the report are recoverable.
 - **Councilman Mullins-** States that we make an amendment that any invoices that are being paid to T. Johnson be added to the report.
 - **Mayor Mitchell-** States that T. Johnson invoices are not part of Utility Innovations Report

9. Review/Approve Action Items

- Consideration/Discussion/Approval of bids received for temporary office facility.- M/M/2/C- Councilman Watson/Councilman Merendino- Approved bid given by Kabco of \$51,000.00- Unanimous**
- **Mayor Mitchell-** States that we have 3 bids.
 - **Councilman Wright @ Dru-** Asks if we have done everything right as far as the mobile home goes?
 - **Dru Montgomery-** Stats that FEMA will take 90 % and we will get the remainder.
 - **Councilman Watson-** Asks if FEMA will be okay with the amount that we have received.
 - **Dru Montgomery-** States that we have done the correct steps to bid out the mobile home.
 - **Councilman Watson-** asks If there are consequences for not doing it correctly?
 - **Dru Montgomery-** yes.
 - **Councilman Emmons-** Asks if FEMA can tell us that we didn't get enough for the mobile home, can they come back and tell us that we owe them money?

- **Dru Montgomery-** States that the City got three bids and protocol was followed so there shouldn't be an issue.
- **Mayor Mitchell-** Asks if we should read the bids that we received?
- **Dru Montgomery-** It needs to be included that the City chose to take the high bid.
The following bids were received
- **Poncho's Home Purchasing-**\$30,000
- **East Texas Home Center-** \$40,000
- **Kabco Mobile Homes-** \$51,000
 - b. **Consideration/Discussion/Approval** of 2023 tax rate after consideration of comments, if any, received at previous hearing on proposed tax rate. Vote on adoption of no-new-revenue tax rate. **Councilman Emmons/Councilman Merendino - Approved**
 - c. **Consideration/Discussion/Approval** of 2023-2024 General Operating Budget- **M/M/2/C- Councilman Merendino/Councilman Emmons- Approved-** Councilman Mullins Abstained because he was not at the budget meeting
 - d. **Consideration/Discussion/Approval** of 2023-2024 Public Works Budget- **M/M/2/C- Councilman Merendino/Councilman Wright- Approved-** Councilman Mullins- Abstained from voting because he was not at the budget meeting.
 - e. **Consideration/Discussion/Approval** of day-to-day operations of the City office. I.E.- hiring/firing, staffing, office hours, # of employees- **Tabled**
 - f. **Consideration/Discussion/Approval** of Mayor spending limit with the exception of natural disaster and/or an emergency. - **Tabled**
 - g. **Consideration/Discussion/Approval** of designating certain funds from General Fund to be dedicated to Community Development, such as construction of community splash pad. - **skipped- discussed later in the meeting**
 - h. **Consideration/Discussion/Approval** of resolution authorizing Utility Clerk to determine application of tamper fee per the water ordinance # 252.1- **skipped- discussed later in the meeting.**
 - i. **Consideration/Discussion/Approval** of timeline for going out for bid on the water/sewer contract. - **M/M/2/C- Councilman Mullins/Councilman Emmons Approved -table for 6 months then it will be revisited**
Councilman Merendino & Councilman Currie- No.
Councilman Wright, Councilman Emmons, Councilman Mullins, Councilman Watson- Yes
 - **Councilman Merendino-** States that we are required by law to go out for bid on contracts.
 - **Mayor Mitchell-** States that we table this agenda item until modifications can be made to how it is worded on the agenda.
 - **Councilman Emmons-** asks if we table this so that we can make up a bid package?
 - **Councilman Wright-** States that he doesn't think that we need to go out for bid. States that the water contractor that we have now, hasn't

went up on our rates. States that we have paid Utility Innovations around \$80,000/yr. beside the decision to do the capital outlay of improving the chlorine system. States that wasn't part of maintenance. States that the Council agreed, except for Councilman Merendino, that he would take over overseeing the water/sewer department. States that we have not received any violations from TCEQ since they have been our contractors. States we found that there was a pump that was running backwards for 3 years. States that we have gotten that resolved. There was an issue with a booster pump and that issue has been resolved. States that it was his understanding that he would be given a chance to correct anything that was wrong. States that if they don't do their job, then he will get rid of them.

- **Councilman Emmons-** States that he would like Councilman Wright to have a chance to make sure that they are in compliance with TCEQ.
- **Councilman Watson-** What are the requirements on us going out for bids? What is the money Amount?
- **Dru Montgomery-** If you want proposals, with no indication that no bid will be accepted. There are several ways to send out a notice.
- **Councilman Watson-** If this is a minimal investment to go out for bids, we are ahead of the game if we need to hire a different contractor.
- **Councilman Mullins-** How many companies do you think would bid with the exception that they are not going to get the job?
- **Councilman Merendino-** The actual cost, by the bookkeeper was \$130,000.
- **Councilman Mullins-** That is a base bid.
- **Councilman Merendino-** Jim said that if they are not doing the job then he will get rid of them.
- **Councilman Wright-** States that he hasn't talked to anyone with Utility Innovations.
- **Councilman Merendino-** States that the pump was running backward. States that they weren't doing their job.
- **Mayor Mitchell-** asks when the last time was that he got a picture of that paper. It was after Jim was told that he could take over.
- **Councilman Merendino-** States that Keel Enterprises would like to bid on the contract.
- **Councilman Wright-** States that we have already gotten their bid and it's \$12,000 higher.
- **Councilman Merendino-** States that no one that comes out is licensed they are working under his license.
- **Councilman Watson-** What is the purpose for the 6-month wait?
- **Councilman Wright-** States that at the meeting that was held with Utility Innovations on 9-20-2023, there were some things that he went

over with them to determine some of the current issues that there was. States that Josh took blame for not knowing that the pump was running backward, and they didn't realize it. States that there are some things that are unacceptable, but Councilman Merendino has not talked to anyone with Utility Innovations to try and correct the problem. States that unless there are corrective actions taken, then the problem won't be fixed.

- **Councilman Watson-** States that the issue that is happening right now, is not an argument, it is a Council that cares.

a. Consideration/Discussion/Approval of resolution designating franchise fees to the City Road Account. **M/M/2/C - Councilman Merendino/Councilman Watson- Approved- Unanimous**

a. Consideration/Discussion/Approval of designating certain funds from General Fund to be dedicated to Community Development, such as construction of community splash pad. **M/M/2/C- Councilman Merendino/Councilman Mullins- Approved- Unanimous**

- **Councilman Mullins-** asks what the designated funds were?
- **Mayor Mitchell-** States that we need to restrict the funds so that we can show the Citizens that we are trying to do something.
- **Councilman Wright-** States that we don't have a 5-year plan.
- **Mayor Mitchell-** States that because our term is not a 5-year term.

b. Consideration/Discussion/Approval of resolution authorizing Utility Clerk to determine application of tamper fee per the water ordinance # 252.1- **M/M/2/C- Councilman Merendino/Councilman Mullins- Approved- Unanimous**

- **Mayor Mitchell-** States that anyone that has an emergency, can turn their water off.
- **Dru Montgomery-** The resolution states that the clerk can investigate the issue and the clerk can make a decision on if there is a tamper or if it was an emergency.
- **Councilman Emmons-** States that it wasn't long after getting in the contract with Beacon, that the property owners could have a shut off valve installed on their side.
- **Councilman Merendino-** Did you have to pay them to turn off the water and turn it back on
- **Councilman Emmons-** Yes. States that he believes that the fee was waived at the time.
- **Dru-** States that the clerk will ask what happened and determine if it was a tamper or not.

10. Consideration/Discussion/Approval of day-to-day operations of the City office. I.E.- hiring/firing, staffing, office hours, # of employees. **Tabled**

- **Councilman Watson-** States that since he has been on Council, a big part of what runs the City goes on at the office. Historically, the Mayor

has done the hiring, firing, the staffing. States that the Council needs to determine how the office is run.

- **Mayor Mitchell-** States that this is not a Council ran City. That is a home rule City. States that the Mayor is in charge of the day-to-day operations. States that the Mayor is allowed to hire a part time employee.
- **Councilman Mullins-** If it's a Council run City, then any time that a day-to-day operation changes, the Council will have to convene to make a decision on it.
- **Mayor Mitchell-** States that the water department is our revenue for the City. States that if she doesn't authorize the purchase of computers.
- **Mayor Mitchell-** States that if the Council doesn't trust her to do the job then she is in the wrong spot.
- **Dru Montgomery-** States that he would like to clarify. States that everyone is right. The office hours are typically brought to the Council. States that Mayor Emmons had to change the office hours before based on the employment situation. States that when she wanted to permanently change the office hours, she brought it to Council. States that the decisions that are made are by the charter, it States that the Mayor can spend up to 5,000 dollars. States that the Mayor's power is circumscribed and are very broad. States that she can open an account somewhere if she wants to without the Council approval.
- **Mayor Mitchell-** States that City Council doesn't need to be at the office every day watching what she is doing.
- **Dru Montgomery-** states that she can close the office every Monday if she wanted to, but then the Council can pass an ordinance that states that the office needs to be open on Monday... The City is a Council powered City but it is ran by the Mayor. States the Council has a much broader authority, but much more power.
- **Mayor Mitchell-** States that we need to work together. States that citizens will know if there are any major decisions made.
- **Councilman Wright-** asks Councilman Watson what brought on his decision about putting this on the agenda?
- **Councilman Watson-** States that because when the previous Mayor was here, there were things done that the Council knew nothing about.
- **Councilman Mullins-** States that if he doesn't like the what the Mayor is spending, then lower the amount of money that she can spend. States that if the Mayor needs to spend more than her limit, then she will have to come to Council to do so.
- **Councilman Wright-** States that it is about accountability when it comes to spending money.
- **Councilman Merendino-** States that what he expects to happen is that the office is ran like a business. States that we have 2 employees, one

part time and one full time. States that they need to feel comfortable while they are working.

- **Mayor Mitchell**- Asks that if she fires someone for cause then the Council will hire them back?
- **Councilman Merendino**- No
- a. **Consideration/Discussion/Approval** of Mayor spending limit with the exception of natural disaster and/or an emergency.

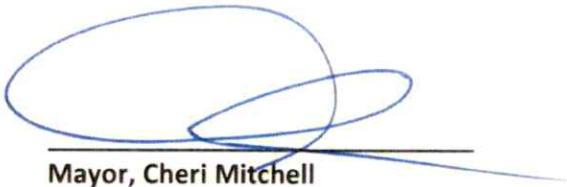
11. Presentation

- a. **Erin Gentry**- Community Events- **Erin was not present**

12. Discussion/Review

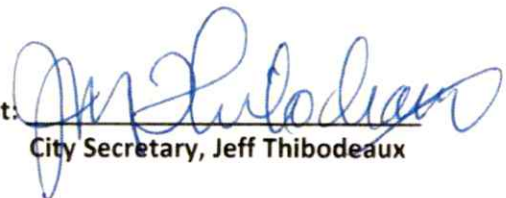
- a. **Discussion/Review** of "Whistle Blower" Policy
- b. **Discussion/Review** of Conflict-of-Interest Policy
- c. **Discussion/Review** of Investment Policy
- d. **Discussion/Review** of Revenue Policy
- e. **Discussion/Review** of Ordinance # 216- Code of Ordinances
- f. **Discussion/Review** of Ordinance # 260- Building Code Ordinance
- g. **Discussion/Review** of Ordinance # 199- Junked Vehicles

13. Adjourn Meeting @ 8:04 pm- M/M/2/C- Councilman Mullins/Councilman Emmons



Mayor, Cheri Mitchell

Attest:



City Secretary, Jeff Thibodeaux

Approved on this 19 day of September, 2024.

OCTOBER 19, 2023

Notice of a Regular Meeting Minutes
CITY OF BEVIL OAKS, TEXAS
October 19, 2023

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- Present: Jim Wright, Mayor Mitchell- Not Present Councilman Merendino, Councilman Mullins, Councilman Emmons, Councilman Watson, Councilman Currie**
4. **Conflict of Interest Statement-**
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.
6. **Review/Approve Consent Items**
 - a. Financial Reports for City of Bevil Oaks
 - b. Financial Reports for Public Works
 - c. Report by Utility Specialties
7. **Review/Approve Action Items**
 - a. Consideration/Discussion/Approval of resolution to approve the 2023 tax roll
 - b. Consideration/Discussion/Approval of ordinance variance for waiver of late fee by resident.
8. **Adjourn Meeting @ 6:31 pm**



Mayor, Cheri MitchellAttest: _____
City Secretary, Jeff Thibodeaux

Approved this 18 day of April, 2024.

NOVEMBER 16, 2023

Notice of a Regular Meeting Minutes CITY OF BEVIL OAKS, TEXAS

November 16, 2023

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- All present but Councilman Currie**
4. **Conflict of Interest Statement- None**
5. **Pre-Oath of Office- Mayor- Cheri Mitchell, Ward 1- Bud Merendino, Ward 2- Lonnie Clayton, Ward 3- Jeff Thibodeaux**
6. **Oath of Office- Mayor- Cheri Mitchell, Ward 1- Bud Merendino, Ward 2- Lonnie Clayton, Ward 3- Jeff Thibodeaux**
7. **Executive Session @ 6:37 pm**
 - a. The Council may convene in executive session to discuss items on the agenda with the new Council members.
8. **Resume Regular Meeting @ 7:27**
9. **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.
 - **Martha Cline-** States that she wants to know how another citizen was able to request the pricing on her sewer tap.
 - **Dru-** States that someone requested the information, and he must give it to them if it is available.
 - **Martha Cline-** Asks if that should be private information.
 - **Dru-** No. They can request to see how much was charged for how much the City was charged for anything.
 - **Mayor-** Asks why someone shared her information.
 - **Dru-** States that someone can request how much something was. States that there isn't anything private about how much a public utility was charged for a tap. If there was private information listed, then that isn't disclosed.
 - **Martha-** States that she wanted clarification on how her information on why it was disclosed.
 - **Dru-** States that negotiations are private, but once it is charged, it is public information.
 - **Doug Mullins-** States that he would like it to be made public knowledge that Councilman Merendino is the one who hired the contractors for the Civic Center. States that the City had to stay under a \$50,000 budget. States that they take pride in the fact that they stayed under \$45,000. States that he would like to know how much more the City will have to spend to correct the problem.
 - **Councilman Merendino-** States that he was on Council at the time, so he was part of making the decision on what was spent.

- **Doug Mullins-** States that the committee consisted of Councilman Merendino, Councilman Watson and Councilman Wright.

10. Review/Approve Action Items

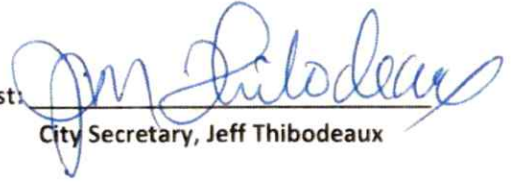
- a. **Consideration/Discussion/Approval** of variance requested by resident to remove late fee. **M/M/2/C – Councilman Wright/Councilman Clayton-Denied**
Councilman Wright- States that this is the second time that the variance request is on the agenda and the resident hasn't showed up. The resident said that she dropped her check off and the check never cleared the bank. States that the resident got a late fee because the check was not received, and she wanted it to be waived.
Councilman Merendino- States that the City office processes over checks every month and there is a very low percentage that isn't processed. States that makes him believe that it isn't the City's issue if the check was never received.
- b. **Consideration/Discussion/Approval** of putting the Civic Center renovation out for bid. **M/M/2/C- Councilman Watson/Councilman Wright- tabled until the next meeting.- Unanimous I's**
 - **Councilman Watson-** States that there are things that need to be done to get the building back open. States that he would like to table the decision until a few things can be investigated. States that they talked to another inspector today and he gave them some useful information.
 - **Mayor-** Table until January?
 - **Councilman Watson-** Yes.
 - **Councilman Merendino-** States that we could have a special meeting before then if we need to.
 - **Councilman Watson-** States that they did the best that they could do and mistakes were made. States that the mistakes will be corrected. Asks that they be given time to correct those mistakes.
 - **Councilman Wright-** States that he agrees with tabling the topic until the things can be corrected.
- c. **Consideration/Discussion/Approval** of Ordinance for weeds, rubbish, brush, etc. **M/M/2/C- Councilman Merendino/Councilman Thibodeaux-Tabled until next meeting. Unanimous**
- d. **Consideration/Discussion/Approval** of Ordinance for junk vehicles
- e. **Consideration/Discussion/Approval** of Ordinance for substandard buildings
- f. **Consideration/Discussion/Approval** of selecting Council Officers
M/M/2/C-Councilman Emmons/Councilman Thibodeaux
Mayor Pro-Tem-
 - **Mayor-** suggests Councilman Emmons- Councilman Wright agrees
 - **4 yes – Councilman Merendino/Councilman Thibodeaux No-**
 - **Councilman Thibodeaux nominates- Councilman Wright- Councilman Merendino/Councilman Thibodeaux****City Secretary-**
 - **Councilman Thibodeaux- Unanimous I's**

11. Adjourn Meeting @ 7:54 p.m. Councilman Emmons/Councilman Clayton



Mayor, Cheri Mitchell

Attest:



City Secretary, Jeff Thibodeaux

Approved on this 19 day of September, 2024.