

City of Coldspring, Texas
Minutes of the Regular Called Council Meeting
Monday, March 6, 2023

1. Meeting called to order 7:00 PM
2. Roll call

Present: Alderman Jennifer Manuel, Dianne Griffith, Nichole Gatewood, Kyle Currie, and Mayor John Benestante

Absent: Jessica Sewell

Visitors: Mike Brown-Inframark, Tim Kramer-TDEM, Marsha Brown, Linda & Gerald Deeter and Barbara Justice-Chamber of Commerce

3. Public Comment: Tim Kramer with Texas Department of Emergency Management (TDEM), spoke on behalf of Kris Eastham, to encourage all to join the staff for an overview of state and federal resources as well as funding opportunities for disaster recovery and mitigation, on March 22 from 1pm to 4pm. Location will be at the San Jacinto County Shelter. This informative workshop will address the actions our local partners can take to strengthen their presentations and discussions, TDEM's staff aims to foster and promote community collaboration through statewide engagement.
4. Agenda: Mayor Benestante presented the agenda for the meeting. Alderman Nichole Gatewood made a motion to adopt the agenda, Alderman Jennifer Manuel seconded the motion. All in favor.
5. Minutes: Mayor Benestante presented the minutes from the regular called February 6, 2023 meeting. A motion to accept the minutes from the February 6, 2023 meeting was made by Alderman Kyle Currie and seconded by Alderman Dianne Griffith. All in favor.
6. Approval of Bills: The list of bills paid and to be paid were reviewed by Council for approval. A motion to pay the bills was made by Alderman Jennifer Manuel and seconded by Alderman Nichole Gatewood. All in favor.
7. Reports:
 - A. Operation of Treatment Plant and Collections System – Mike Brown from Inframark stated the charges for the month were \$5,055.71 for operating fees. The bill was a little more due to the Tier Two report for TCEQ and a high level alarm call out at the sewer plant. There were no excursions incurred for the month of February. The plant operated at 27 percent of capacity for the month of February and flowed an average of

53,000 MGD. Mr. Brown informed Council that the city will have a new contact from Inframark named Josh Taylor.

- B. Financial Reports – Mayor John Benestante briefed Council with the current financial profit and loss statements for the General account, Sewer & Maintenance, Hotel/Motel, Covid Fund, Capital Projects and Mit-Mod Grant Fund. Mayor Benestante asked for any comments or questions regarding the profit and loss statements. City Executive Administrator, Jody Barr, briefed council on the sewer adjustments made to customer accounts in the month of February
- C. Briefing on sewer cut offs – City Executive Administrator, Jody Barr briefed Council that there was one customer account cut off for February, however, the account had been paid and services restored.
- D. Legislative Updates – Alderman & Mayor Pro Tem. Dianne Griffith gave a brief report on her trip to the Texas Municipal League Mid-Year Conference. Ms. Griffith will provide the mayor and subsequent council members with information on Texas house bills that may affect the city.

8. OLD BUSINESS:

- A. Briefing on Park 1 Restroom/Concession Stand: Mayor Benestante informed Council that a change order was issued to extend the original bid opening date from March 3, 2023, to April 14, 2023. The main reason for the bid date change was to not have construction taking place during ball season activities. All change orders have been issued to all bidders.
- B. Briefing on purchase of 10-acre tract from Coldspring-Oakhurst Consolidated Independent School District: Mayor John Benestante briefed Council that City Attorney Greg Magee has started the negotiation process.
- C. Consideration, discussion, and possible action updating terms of the City Park #1 (Ball Park) Memorandum of understanding. Mayor Benestante spoke with City Attorney, Greg Magee and the agreement has been corrected to show that the Coldspring Youth League would be responsible for the water bill and that the City is responsible only for the sewer and electricity to the Ball Park.
- D. Discussion and possible action on an addendum to City Ordinance 04-01 regarding food truck grease trap requirements. Mayor Benestante addressed the Council over what the state regulations on food trucks are considered. One being that the food truck must move every night. City Attorney Greg Magee went to the City of Huntsville to get information on how they operate and what their ordinances require. Mr. Magee will get more information on the City of Huntsville Ordinance on food trucks and will provide it to Council and the Mayor.

- E. Discussion and possible action authorizing the Mayor and or Mayor Pro-Tem. to deed abandoned alley way to said property owner. Mayor Benestante explained the original plat did not show an alley way, but the surveyor is showing an alley way. City Attorney, Greg Magee is going to research with surveyor who added the alley way. The City will revisit this matter when more information is available.

9. NEW BUSINESS:

- A. Discussion and possible action on approving resolution 2023-03 for the TX General Land Office Resilient Communities Program grant administration for Comprehensive Plan. After a brief general discussion a motion was made by Alderman Kyle Currie to approve the resolution 2023-03 for the TX General Land Office Resilient Communities Program grant administration for Comprehensive Plan. This motion was seconded by Nichole Gatewood. All were in favor.
- B. Discussion and possible action on approving the Payment Group as an on-line service to allow City sewer customers an alternative way of paying their sewer bills on line with a link on the City website that would allow a bill to be paid with a debit/credit card and/or by ACH and also the ability to pay in person with a debit/credit card. After a general discussion Alderman Nichole Gatewood made a motion to approve the Payment Group as an on-line service to allow City sewer customers an alternative way of paying their sewer bills. The motion was seconded by Dianne Griffith. All were in favor.
- C. Discussion and possible action on Resolution 2023-01 authorizing the submission of an application for the 2023-2024 TxCDBG Community Development fund competition. After a general discussion a motion was made on Resolution 2023-01 by Alderman Kyle Currie to authorize the submission of an application for the 2023-2024 TxCDBG Community Development fund competition. The motion was seconded by Dianne Griffith. All in favor.
- D. Discussion and possible action on Resolution 2023-02 authorizing signatories for the 2023-2024 application and future grants administered through Texas Department of Agriculture TDA Go grants online and adopting the Civil rights policies which include the Code of Conduct Policy, Citizen Participation Plan, Excessive Force Policy, and Fair Housing Policy. After a general discussion a motion was made on Resolution 2023-02 by Alderman Dianne Griffith authorizing signatories for the 2023-2024 application and future grants administered through Texas Department of Agriculture TDA Go grants online and adopting the Civil rights policies which include the Code of Conduct Policy, Citizen Participation Plan, Excessive Force Policy, and Fair Housing Policy. This motion was seconded by Jennifer Manuel. All in favor.
- E. Discussion and possible action on authorizing the certification of unopposed candidates for other political subdivisions for the election scheduled May 6, 2023. A motion was

made by Kyle Currie authorizing the certification of unopposed candidates (Jessica Sewell - Council position #1, Jennifer Manuel - Council position #5 and Kyle Currie - Council position #3) for other political subdivisions for the election scheduled May 6, 2023. This motion was seconded by Jennifer Manuel. All in favor.

- F. Discussion and possible action on authorizing the cancellation of the election scheduled to be held on May 6, 2023, in accordance with Section 2.053(a) of the Texas Election Code. A motion was made by Alderman Nichole Gatewood to cancel the election according to Section 2.053(a) of the Texas Election Code that was scheduled to be held on May 6, 2023. The motion was seconded by Kyle Currie. All in favor.
- G. Briefing on Hotel Occupancy Tax Exemptions. Mayor Benestante stated that further information will be coming from City Attorney Greg Magee. This item will carry over to Old Business at the April 3, 2023, City Council meeting.
- H. Discussion and possible action regarding the inquiry from Central States Water Resources to request to discuss selling the wastewater utility for the City of Coldspring. After a brief discussion on the inquiry from Central States Water Resources requesting the City of Coldspring to sell the wastewater utility, Kyle Currie made a motion to deny the request and for the City to maintain ownership. This was seconded by Dianne Griffith. All in favor.
- I. Discussion and possible action on complaint from L.P. Runge. Possible violation of City Ordinance 2021-3. Mayor Benestante explained the violation that has been occurring on the property located inside the city limits. Alderman Nichole Gatewood made a motion to have City Attorney Greg Magee pursue the violation of City Ordinance 2021-3 with the property owner Cynthia Korn. This motion was seconded by Dianne Griffith. All in favor. This item will carry over to Old Business at the April 3, 2023, City Council meeting.
- J. Briefing on TMRS: Texas Municipal Retirement System. Mayor Benestante stated he is still looking into getting more information on Texas Municipal Retirement System for the employees of the City and is also looking into possible health plan options. This item will carry over to Old Business at the April 3, 2023, City Council meeting.

10. ADJOURN

A motion to adjourn was made by Alderman Kyle Currie at 7:54 PM and was seconded by Alderman Dianne Griffith. All in favor.

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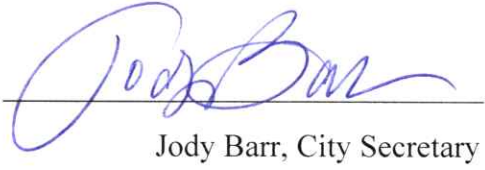
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John Benestante, Mayor

Attest:



Jody Barr, City Secretary