

**City of Coldspring, Texas**  
Minutes of the Regular Called Council Meeting  
Monday, August 7, 2023

1. Meeting called to order 7:01 PM

2. Roll call.

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

Absent: none

Visitors: Linda & Gerald Deeter, Josh Taylor & Harley Permenter-Inframark, Kris Eastham, Betty Russo, Greg Magee-City Attorney, Greg Capers- San Jacinto County Sheriff

3. Public Comment: Gerald Deeter was requesting the city to repair Oak Street beside the jail. Mayor Benestante informed Mr. Deeter that the city is no longer responsible for the upkeep of Oak Street as it is the responsibility of the county.

4. Agenda: Mayor Benestante presented the agenda for the meeting. Alderman Dianne Griffith 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 July 10, 2023. Dianne Griffith pointed out two typos under new business where the word "Land" was misspelled as "Lan". A motion to accept the minutes from the July 10, 2023 with the two typos corrected was made by Alderman Jessica Sewell 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 the Council for approval. A motion to pay the bills was made by Alderman Jennifer Manuel and seconded by Alderman Kyle Currie. All in favor.

7. Reports:

A. Operation of Treatment Plant and Collections System – Josh Taylor from Inframark stated the charges for the month were \$5,653.80 for operating fees. There were no excursions incurred for the month of July. The plant operated at 19 percent of capacity for the month of July and flowed an average of 0.20 MGD.

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, MIT-Mod Grant Fund and Opioid Abatement Fund. The

mayor also gave an Investment account briefing as well for the second quarter. Mayor Benestante asked for any comments or questions regarding the profit and loss statements and there were none. The City Executive Administrator, Jody Barr, then briefed Council on the sewer adjustments made to customer accounts in the month of July.

- C. Briefing on sewer cut offs – City Executive Administrator, Jody Barr briefed Council that there were no cut offs in the month of July.

## 8. OLD BUSINESS:

- A. Briefing on City Park #1. Mayor John Benestante briefed the council on City Park #1 letting everyone know everything is moving along as expected. There were no questions.
- B. Discussion and possible action on potential violation of Ordinances 2021-3 (Public Nuisance), 88-4 (Junk and Salvage) at 301 Highway 150. After a brief discussion, a motion was made by Kyle Currie to take action on potential violation of Ordinance 2021-3 (Public Nuisance) at 301 Highway 150, City Attorney Greg Magee will prepare a legal notice to send to owners of property. This was seconded by Dianne Griffith. All in favor.
- C. Discussion and possible action on violation of Ordinance 2021-3 (Public Nuisance) at 210 Slade Street. After a brief discussion with City Attorney Greg Magee, a motion was made by Nichole Gatewood to take action on violation of Ordinance 2021-3 (Public Nuisance) at 210 Slade Street. This was seconded by Jessica Sewell. All in favor.
- D. Discussion and possible action on Ordinance 2007-08 violation of unauthorized signs within the City of Coldspring. After a brief discussion on possible action on Ordinance 2007-08 violation of unauthorized signs within the City of Coldspring, a motion was made by Dianne Griffith to table this item for further review. This was seconded by Kyle Currie. All in favor.
- E. Discussion and possible action on Texas Department of Transportation speed zone study results and Ordinance 2023-04 establishing maximum speeds of motor vehicles in certain areas as designated. After a lengthy discussion a motion from Dianne Griffith was made to accept the Texas Department of Transportation speed zone study results and Ordinance 2023-04 establishing maximum speeds of motor vehicles in areas indicated on Ordinance 2023-04 areas as designated. This motion was seconded by Kyle Currie. All were in favor. Secondly, a motion was made by Jessica Sewell to not approve the placement of stop signs in high traffic locations where accidents have been happening. This was seconded by Jennifer Manuel. Kyle Currie and Nichole Gatewood were in favor of the motion. Dianne Griffith was opposed to the motion. The motion to not accept additional stop sign placements passed by a 4 to 1 vote.

- F. Discussion and possible action on upgrade of "Pea Patch" Lift Station #1. No action was taken on the upgrade of "Pea Patch" Lift Station #1.

9. NEW BUSINESS:

- A. Discussion and possible action on TML Risk Pool Insurance Renewal. After a brief discussion a motion was made by Kyle Currie for the renewal of TML Risk Pool Insurance and to add City Park #1 Ball Fields to insurance policy. This was seconded by Jennifer Manuel. All in favor.
- B. Discussion and possible action on presentation by Betty Russo, East Texas/Gulf Coast Regional Representative Economic Development & Tourism to present the latest on Economic Development and Film Friendly Texas. After a brief presentation and discussion, a motion was made by Dianne Griffith to support the county in Economic Development plan. This was seconded by Kyle Currie. All in favor. Betty Russo also presented information on the Film Friendly Texas program, no action was taken. Alderman Dianne Griffith will attend the virtual training on Thursday and get more information on the Film Friendly Texas program to bring to the next meeting.
- C. Discussion and possible action concerning an ordinance that does not allow food trucks or trailers to use designated vehicle parking places that are located in the City street right of way or state highway road/right of way in the City limits. This item was tabled, no action at this time.
- D. Discussion and possible action requiring a day permit for food trucks or trailers to park and operate on private property within the City limits of Coldspring. This item was tabled, no action at this time.
- E. Discussion and possible action on enforcement of all ordinances. The Coldspring municipal court shall hear all violations of city ordinances. A motion was made by Dianne Griffith on for all city ordinances to be enforced through the municipal court. the This was seconded by Jennifer Manuel. All in favor.
- F. Discussion and possible action to amend City Ordinance 88-4 to require operators to prove a monthly list of vehicle identification numbers that are located on said property. This item was tabled for the City's legal counsel to further review.
- G. Discussion and possible action of a resolution #2023-6 for the purpose of closing Highway 150 and FM 1514 for the Annual San Jacinto County Fair & Rodeo Parade. After a brief discussion on resolution #2023-6, a motion was made by Nichole Gatewood for closing Highway 150 and FM 1514 for the Annual San Jacinto County Fair & Rodeo Parade. This was seconded by Kyle Currie. All in favor.

H. Discussion and possible action on employee salary schedule.

I. Discussion and possible action on purchase of property.

10. EXECUTIVE SESSION

- SECTION 551.071 CONSULTATION WITH ATTORNEY REGARDING PENDING OR CONTEMPLATED LITIGATION OR ABOUT SETTLEMENT OFFERS. SECTION 551.072 DELIBERATION REGARDING REAL PROPERTY.
- SECTION 551.074 PERSONNEL MATTERS: TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE; AND
- SECTION 551.076 DELIBERATION REGARDING SECURITY DEVICES AND AUDITS.

Mayor John Benestante called for Executive Session at 9:10pm

11. RECONVENE


The meeting was reconvened at 9:30pm

A motion was made by Dianne Griffith that Mayor John Benestante will collect more information on employee salary schedule. This was seconded by Nichole Gatewood. All in favor.

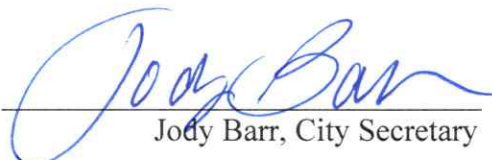
A motion was made by Nichole Gatewood to take no action on purchase of property and the Mayor and Attorney Greg Magee will look more into this purchase.

12. ADJOURN

A motion to adjourn was made by Alderman Kyle Currie at 9:30PM and was seconded by Alderman Jessica Sewell. All in favor.

  
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John Benestante, Mayor

Attest:

  
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Jody Barr, City Secretary