



**REGULAR CITY COUNCIL MEETING
January 10, 2022**

MINUTES

The Madisonville City Council met in a regular council meeting on January 10, 2022 at 6:00 p.m. at 210 W. Cottonwood, Madisonville, Texas.

Meeting called to order at 6:00 p.m. with the following present:

William (Bill) Parten – Mayor
Chris McGilbra – Mayor Pro Tem
Brady Taylor – Council Member
Jesse Jaenicke – Council Member
Terri Davis – Council Member
Melissa Hinojosa – Council Member
Kevin Story – Interim City Manager
Art Rodriguez – City Attorney
Lacy Schilling – Interim City Secretary
Herbert Gilbert – Chief of Madisonville Police Department

- I. Mayor William (Bill) Parten called meeting to order
- II. Invocation was given by Council Member Brady Taylor
- III. Chief Gilbert led the Pledge of Allegiance to the American Flag and the Texas Flag with City Council, Staff Members and Visitors
- IV. VISITORS FORUM (3 MINUTES)
None

V. CONSENT AGENDA

All consent agenda items are considered to be routine by the City Council and will be enacted by a single motion. There will be no separate discussion on these items unless a Council Member requests an item be removed and considered separately.

- 1. Consider approval of the minutes as written for December 13, 2021**

2. Discuss and possible approval of extension of the COVID-19 Disaster Resolution for another 30 days.

Mayor Pro Tem Chris McGilbra moved to approve the minutes as written for December 13, 2021 and moved to approve the extension of the COVID-19 Disaster Resolution for another 30 days. Seconded by Councilmember Melissa Hinojosa with each Councilmember voting AYE motion carried.

VI. REGULAR AGENDA

1. Consider approval of Accounts Payable as written for the previous Month.

Councilmember Melissa Hinojosa had a comment about misspelling of supplies and questions to Mustang Cyber Security. Jason Phillips, owner of Mustang Cyber Security, was in attendance at council meeting and answered that his contract with the City is to provide his services to City Hall and to the Police Department. Councilmember Hinojosa asked so you are Mustang Cyber Security and Jason Philips responded with yes, Councilmember Hinojosa responded with okay I just didn't know that you were Mustang Cyber Security.

Councilmember Brady Taylor moved to approve the Accounts Payables written for the previous month. Seconded by Mayor Pro Tem Chris McGilbra with each Councilmember voting AYE motion carried.

2. Discuss, consider, and adopt a resolution to designate authorized signatories for the Community Development Block Grant - Mitigation (CDBG-MIT) program for GLO state contract number 22-085-043-D296.

Lacy Schilling, City Grant Manager, stated that this particular grant is for the sewer improvements within the City. Also notified Mayor and Councilmembers that Christina Wirsching with Grantworks is on the phone should anyone have any questions regarding any of the documents.

Councilmember Melissa Hinojosa moved to adopt a resolution to designate authorized signatories for the Community Development Block Grant – Mitigation (CDBG-MIT) program for GLO state contract number 22-085-043-D296. Seconded by Councilmember Brady Taylor with each Councilmember voting AYE motion carried.

3. Discuss, consider, and adopt a resolution regarding Civil Rights which includes the following policies:

- o Section 3 Policy;
- o Excessive Force Policy;
- o Limited English Proficiency (LEP) Standards Plan;
- o Section 504 Policy and Grievance Procedures;
- o Code of Conduct Policy; and
- o Fair Housing Policy.

Lacy Schilling, City Grant Manager, stated that these particular policies are standard for federal grants.

Councilmember Brady questions if the City violates any policies does the City lose the grant money. Lacy Schilling responded yes, these policies have to be past and followed. Councilmember Brady asked how far does the audit go back should the City violate any of these policies. Christina Wirsching, responded that the audit would go back three years and reviewing all document the City is in good standing.

Councilmember Terri Davis moved to adopt a resolution regarding Civil Right Policies that include: Section 3 Policy; Excessive Force Policy; Limited English Proficiency (LEP) Standards Plan; Section 504 Policy and Grievance Procedures; Code of Conduct Policy; and Fair Housing Policy. Seconded by Councilmember Brady Taylor with each Councilmember voting AYE motion carried.

4. Proclaim April as Fair Housing Month: This proclamation will help to fulfill Fair Housing activity obligations as required by the grant.

Councilmember Brady Taylor made a motion to proclaim April as Fair Housing Month. Seconded by Councilmember Terri Davis with each Councilmember voting AYE motion carried.

5. Presentation of the TDA Form A1024 CDBG Section 3 Program Goals Presentation for the Madisonville TxCDBG Project 7220281

Mayor Pro Tem Chris McGilbra moved to approve the presentation of the TDA Form A1024 CDBG Section 3 Program Goals for Madisonville TxCDBG Project 7220281. Seconded by Councilmember Brady Taylor with each Councilmember voting AYE motion carried.

6. Discuss and possible approval of hiring an auditing firm to perform audit services on the year October 2020 through September 30, 2021.

Mayor Pro Tem Chris McGilbra moved to hire Todd Hamaker & Johnson, LLP to perform audit services on the year October 2020 through September 30, 2021. Seconded by Councilmember Terri Davis with each Councilmember voting AYE motion carried.

7. Discuss and possible approval of July 4, 2022 City fireworks display and band.

Councilmember Terri Davis moved to table approval of July 4, 2022 fireworks display and band to allow Director of Tourism, Hilary Graham to obtain more pricing quotes for a better display. All Councilmembers agreed that last years' display was not very good and would like this years' to be a better performance.

8. Discuss and possible approval of Memorandum of Understanding between the City of Madisonville and Madison County, Texas regarding use of County Jail and fire services.

Councilmember Melissa Hinojosa made a motion to approve the Memorandum of Understanding between the City of Madisonville and Madison County, Texas regarding use of County Jail and fire services. Seconded by Mayor Pro Tem Chris McGilbra with each Councilmember voting AYE motion carried.

9. Discuss letter that was submitted to: "Acting City Manager Kevin Story, Bill Parten, City Council Members and City Attorney Art Rodriguez", written by Terri Davis.

Terri Davis stated she is very upset with the actions of the Code Enforcement Officer, Don Grooms. She felt a verbal reprimand was not enough action done. Stated things have not been done the right way by Don. Stated she has photographs of the Code Enforcement Officer also acting as Health Inspector and believed that working two jobs was not allowed. Feels like her family is being targeted because Don was not doing his job right. Wants Council to look at her paperwork and make a better decision than what was made, if not we will have problems going forward.

Chief of Police, Hebert Gilbert, in attendance during meeting stated Health Inspections concerns and issues should be taken up with the County and the Commissioner's Court. Chief also stated that Don Grooms' agreement is to work part-time for the County of Madison as Health Inspector after 4:00p.m. and does that job in the evenings or on the weekends, on his own time. Chief stated Don has been under his direction for a few years and this is the first time he has had

a disciplinary issue with him and that this occurrence was not against any City policy.

Terri brought up the issue from 2020 of buying alcohol while in uniform, in the City truck. Chief stated he was off-duty and again there was no policy violation. Troy Jones, citizen of Madisonville, stated that he has the photos in his phone and that he brought the issue to Camilla Viator, and Troy Jones stated that there is a City policy on private use of a City vehicle.

Mayor stated we can do an investigation to make sure the appropriate actions were taken and have the report by next council meeting.

10. Discuss Code Enforcement Permits and Violations, Re: Animals inside Businesses

Councilmember Terri Davis stated that she was wanting a more full and detailed report from Code Enforcement. Chief stated he questioned Code Enforcement as to why there were no letters written for the month and Don said because it was the holidays and he wanted to give everyone a break.

VII. CLOSED EXECUTIVE SESSION: The City Council for the City of Madisonville reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney) 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development). NOTE: The City Council may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The City Council may also publicly discuss any item listed on the agenda for Executive Session.

Councilmember Terri Davis made a motion to go into Closed Session.
Seconded by Councilmember Melissa Hinojosa.

- 1. The City Council will conduct a closed meeting to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City's City Manager as permitted by Section 551.074 of the Texas Open Meetings Act. To wit:**

2/7/2022

a. Appointment of City Manager

VIII. Reconvene to Open Session:

Councilmember Melissa Hinojosa made a motion reconvene to Open Session. Seconded by Councilmember Terri Davis with each Councilmember voting AYE motion carried.

1. Discussion and possible action on items considered in Closed Executive Session

Mayor stated a contract offer will be made to the City Manager candidate that has been chosen by City Council Members.

IX. Department Reports:

1. Municipal Court Report

- Contains warrants added/actual citations issued/monthly revenue

2. Police Department/ Animal Control Report

- Brief report on citations issue for the month of October and racial profiling report and count on dogs, cats, and adoptions

3. Fire Department Report

- Report for the month of October on inside/outside fires of grass, structures, drills, wrecks and the amount of total gas/diesel used

4. Public Works Department Report

- Brief report on water/sewer and street for the month of October

5. Convention and Tourism Report

- Brief report for the month of October

6. Code Enforcement Report

- Report for the month of October

7. Investment Report

- Report for the month of October

8. Tax Collection Report for the City of Madisonville

- A report of total taxes collected for the month of October

9. Future Agenda Items

X. Adjournment

Mayor Pro Tem Chris McGilbra made a motion to adjourn and it was seconded by Councilmember Melissa Hinojosa with each Councilmember voting AYE, motion carried.

This agenda has been reviewed and approved by the City of Madisonville, Texas City Attorney and the presence of any subject in any Executive Session portion of the agenda constitutes a written

2/7/2022

interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.