



REGULAR COUNCIL MEETING JUNE 13, 2022

MINUTES

The Madisonville City Council met in a regular council meeting on June 13, 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

Jesse Jaenicke – Council Member (arrived to the meeting at 6:35 p.m.)

Terri Davis – Council Member

Melissa Hinojosa – Council Member

Brady Taylor – Council Member

Fabrice Kabona – City Manager

Art Rodriguez – City Attorney

James Greene – City Secretary

Herbert Gilbert – Chief of Police

- I. Mayor Parten called the meeting to order.
- II. Councilmember Taylor gave the invocation.
- 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

- No speakers from the public.

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. **Approval of the minutes as written for May 9, 2022.**
2. **Approval of the minutes as written for June 3, 2022.**
3. **Approval of Accounts Payable as written for the previous Month.**
 - Councilmember Davis made a motion to approve all consent agenda items and the motion was seconded by Councilmember Hinojosa with each Councilmember voting AYE, motion carried.

VI. Work Session

1. **Council will receive a presentation from Waste Connections regarding the extension and renegotiation of the Solid Waste Agreement.**
 - Blake Aulds with Waste Connections made a presentation to council regarding the proposed extension and renegotiation of the Solid Waste Agreement. Mayor Parten asked about yearly roll-off allowances included in the contract for clean-ups. Aulds clarified that the current contract allowed for 25 roll-offs for city cleanup and 12 for discretionary use with a total of 37. Councilmember Hinojosa asked if there was a possibility of allowing other companies to bid on the contract. Councilmember Davis asked how elderly or disabled customers sign up for help from Waste Connections in bringing their waste to the truck from their house. City Manager Kabona advised council decide which option they would like to pursue in order for an ordinance to be prepared to present to council at a future meeting. City Manager Kabona and Aulds explained the different options to council again for clarification. Councilmember Taylor asked if the price increase with option 2 would amount to \$6 dollars per customer and Aulds clarified. Councilmember Hinojosa asked if more bids were still possible trying to get the best deal. Mayor Parten explained that, through past experience, there are not many garbage companies available to service this area. City Manager Kabona asked Aulds to speak on the fuel surcharge. Aulds explained that the current contract called for a fuel surcharge provision existed and allowed that if the price of fuel went over a certain point that a higher price could be charged per home. With the

increased price in fuel, the price should be raised to compensate. Council discussed which option they would like to pursue or to put the contract out for other bids. City Attorney Rodriguez explained to council that they were able to allow the contract to expire and open for a request for quote process, or they could enable a sub-committee to further negotiate with Waste Connections, or they could choose one of the options and continue with Waste Connections. Council directed City Manager Kabona to prepare an ordinance for option 2.

2. Council will receive a presentation on microchipping.

- City Manager Kabona delivered a presentation on a mandatory microchipping program for pets in the City. City Manager Kabona explained that an ordinance could be prepared for a vote for the next council meeting, and that the ordinance would not go into effect until January of the next year in order to allow time to promote the program and educate the public. He also explained that the chipping fees would only be \$15. Councilmember Davis asked about owners who do not want their animals microchipped due to the risk of harm. Dr. Easterling responded by saying that the benefits outweigh the risks of harm. She offered that in her tenure of being a veterinarian she has only ever seen an infection in one pet. Chief Gilbert asked if the ordinance would mandate microchipping. City Manager Kabona explained that the ordinance would mandate microchipping, but the City would not be knocking door to door to find pets to microchip. He asserted that if an animal is found to be loose, that would be a case in which the City could then enforce the ordinance. Mayor Pro Tem McGilbra asked if a dog was found and brought to our kennels, if the City would withhold the dog until the owner microchipped the dog. City Manager Kabona explained that would not be the case necessarily. The owner would have the option to microchip, but if the animal was to be found a second time the City would then be in a position to enforce the ordinance. Councilmember Jaenicke asked if there was a plan to capture loose animals. Chief Gilbert advised that the plan in place relied on citizen reporting. Dr. Easterling explained that there was a catch and release program in place for cats in which the cat is captured, spayed/neutered, and released. Council directed City Manager Kabona to prepare the ordinance.

3. City Manager to discuss and present Council goals and objectives for 2023 through 2025.

- City Manager Kabona delivered a presentation to council detailing a five-year plan as the result of the strategic planning meeting that Council attended April 8-9. He explained that the four pillars identified for the City of Madisonville were: (1) a strong, vibrant, diverse economy; (2) Quality of Life Amenities & Activities; (3) Sound Infrastructure; (4) Trained, Professional City Employees. Each of these pillars identifies goals to be reached through the next five years. The budget would be based on achieving some of the goals in the next fiscal year. Councilmember Davis asked if there were any additions planned for Marian-Anderson Park. Kabona explained that there were some items planned for the park, but ultimately prioritizing expenditures drives the budget process which will be presented in the upcoming meetings. Mayor Pro Tem McGilbra offered that some community churches are interested in donating items such as tables and chairs for the park. City Manager Kabona advised Council that a resolution would be prepared for the next meeting to adopt the goals and objectives for FY 2022-2023.

VII. REGULAR AGENDA

1. Ordinance to establish no parking zones on HWY 21 and HWY 75 and emplacement of no parking signage.

- City Manager Kabona explained that portions of HWY 21 and HWY 75 would be identified as no parking zones to prevent interference with the flow of traffic and safety issues related to parking on the shoulder. He advised that TXDOT would install the signs and City Police would be able to enforce the no parking zones. Mayor Pro Tem McGilbra asked how delivery drivers would be able to make deliveries if they cannot park in those zones. Chief Gilbert explained that in certain areas deliveries would be allowed to park in those areas for deliveries only for certain time periods. Councilmember Davis asked for the time allowed to park in those areas for truck drivers to eat. City Manager Kabona advised that 15 minutes is allowed,

per the ordinance, for deliveries only. Councilmember Davis said that the no parking zone should be for the entire length of both HWY 21 and 75 through the city limits. Council directed City Manager Kabona to amend the ordinance to include the entire length of HWY 21 and 75 through the City Limits. City Secretary Greene read the caption of Ordinance 850. Councilmember Jaenicke made a motion to approve the ordinance with the discussed amendment and the motion was seconded by Councilmember Hinojosa with all Councilmembers voting AYE, motion carried.

2. Ordinance to establish booth fees for vendors participating in city hosted events.

- Councilmember McGilbra made a motion to table items 2, 4, and 5 and the motion was seconded by Councilmember Davis with all Councilmembers voting AYE, motion carried.

3. Resolution designating the City Secretary as the Coordinator of Public Information Requests for the City and its departments.

- City Manager Kabona explained that this is a best practice and already in the job description. City Secretary Greene read the caption. Councilmember Taylor made a motion to approve the ordinance and Councilmember Jaenicke seconded the motion, with all Councilmembers voting AYE, motion carried.

4. Resolution approving a field use agreement between the City and Madison County Soccer Club.

- Councilmember McGilbra made a motion to table items 2, 4, and 5 and the motion was seconded by Councilmember Davis with all Councilmembers voting AYE, motion carried.

5. Resolution approving a field use agreement between the City and Madisonville Little League.

- Councilmember McGilbra made a motion to table items 2, 4, and 5 and the motion was seconded by Councilmember Davis with all Councilmembers voting AYE, motion carried.

6. Ordinance regulating the replacement of a Manufactured Home within the City.

- City Manager Kabona explained that this ordinance regulates the replacement of a Manufactured Home to 20 years of age as per the previous Regular Council Meeting. Councilmember Davis asked if the Ordinance was enforceable and City Attorney Rodriguez affirmed that the ordinance has penalty provisions. City Manager Kabona added that enforcement can include citations or removal of the manufactured home if violations are discovered. Councilmember Davis asked if a lien could be placed in the case of violations. City Manager Kabona said that liens could be placed but it is difficult for the City to recover payment through that route. Councilmember Hinojosa made a motion to approve the ordinance and Councilmember Davis seconded the motion with all Councilmembers voting AYE, motion carried.

VIII. City Manager's Report

- City Manager Kabona advised the council that he and City Secretary James Greene were sworn in on May 19, 2022 as required. Additionally, the farmer's market would take place on the following Saturday, the Fourth of July Celebration from 5 p.m. to 9 p.m. at Lake Madison Park, and Glow in the Dark would occur September 24 at 7 p.m. at Lake Madison Park. He also added that a parade would occur in observance of Juneteenth on Friday, June 17.

IX. Adjournment

- Mayor Pro Tem McGilbra made a motion to adjourn and Councilmember Hinojosa seconded the motion with all members voting AYE, motion carried.

All items on the agenda are for discussion and/or action. 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).

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 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.

I, FABRICE KABONA, CITY MANAGER, UNDERSIGNED AUTHORITY DO HEREBY CERTIFY THAT THE NOTICE OF MEETING WAS POSTED ON THE BULLETIN BOARD IN THE CITY HALL OF THE CITY OF MADISONVILLE TEXAS, A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AT ALL TIMES AND SAID NOTICE WAS POSTED ON THE FOLLOWING DATE AND TIME: JUNE 10, 2022 AT 5:00 PM AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULE TIME OF SAID MEETING.

FABRICE KABONA, CITY MANAGER, CITY OF MADISONVILLE, TEXAS

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, THE CITY OF MADISONVILLE WILL PROVIDE FOR REASONABLE ACCOMODATIONS FOR PERSONS ATTENDING THE CITY COUNCIL MEETINGS. TO BETTER SERVE YOU, A REQUEST SHOULD BE RECEIVED 24 HOURS PRIOR TO THE MEETING. PLEASE CONTACT CITY HALL AT 936-348-2748.

I CERTIFY THAT THE ATTACHED NOTICE AND AGENDA ITEMS TO BE CONSIDERED BY THE CITY COUNCIL WAS REMOVED FROM THE CITY BULLETIN BOARD ON _____ DAY OF _____, 2022.
BY: _____

JAMES GREENE, CITY SECRETARY, CITY OF MADISONVILLE, TEXAS