



**REGULAR COUNCIL MEETING
SEPTEMBER 12, 2022**

MINUTES

The Madisonville City Council met in a regular council meeting on September 12, 2022 at 6:00 p.m. at 210 W. Cottonwood, Madisonville, Texas.

Meeting called to order at 7:00 p.m. with the following present:

Chris McGilbra – Mayor Pro Tem
Jesse Jaenicke – Council Member
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
Krystal Carroll – Director of Finance
Lacy Schilling – Assistant to the City Manager
Hilary Graham – Director of Tourism and Marketing
Tommy Starns – Municipal Court Judge
Kevin Story – Director of Public Works

I. CALL MEETING TO ORDER

Mayor Parten called the meeting to order.

II. INVOCATION

Council Member Jaenicke gave the invocation.

III. PLEDGES

Chief Gilbert led the Pledge of Allegiance to the American Flag and the Texas Flag with City Council, staff members, and visitors.

IV. CEREMONY

Mayor Parten read a Proclamation identifying September as Child Cancer Awareness month. He then presented the Proclamation to Danielle Wilkinson in honor of her

daughter, Xena, who is afflicted by a cancer of the brain. Mayor and Council then took a picture with her.

Mayor Parten read a Proclamation identifying August 21 as Sam Bennett day in honor of Mr. Bennett being recognized as the 122nd U.S. Amateur Golf Champion. Mayor Parten then presented his family a plaque in Mr. Bennett's absence.

V. VISITORS FORUM

Chief Gilbert introduced a new police officer, Antonio Garcia, to Council.

Meagan Holub, treasurer, and public relations officer of the Madisonville Little League addressed Council: As a board, we have listened to the concerns from parents and coaches, implemented rule changes for safety and fairness, stayed in constant contact with other leagues to continue to learn and grow our program. We have worked tirelessly to maintain the fields and keep them in good working order for the kids. Over the years, the Madisonville little league's relationship with the city has drastically changed from having full support to virtually none. For two years, the Madisonville little league has been trying to come to an agreement with the city and have only gotten the run around. We continue to get put on the back burner because the city has bigger fish to fry. We believe that the kids of the Madisonville little league deserve to be a priority. The board has spent countless hours preparing information and having meetings with the mayor, manager, interim manager, park maintenance, to make sure our park is a safer place for our kids, community, and visitors and have gotten nowhere. I have handed out the meeting agenda with the last meeting with the city manager. We walked the fields to help show him all our safety concerns, our top priority fixes and why, and what we would like to do in the future. On the last page you will see a list of all the issues and the quotes for those to be fixed. Our amazing community members and businesses support our league year after year, and their generous donations are what we use to fund these field improvements. They understand that everything we do is for our kids and our community, and they trust that we will spend their contributions wisely. After spending over an hour discussing the thousands of dollars, we would like to spend on park improvements over the next few months, we were appalled when we were asked if we would be open to pay for half of a new \$80,000 walking trail. Council members, respectfully no. Our main concern is the safety of our kids, and the walking trails have nothing to do with our kids playing baseball or softball. The community members have trusted us with their donations, and we will continue to put it all back into our kids and the fields that they play on. Our Mayor and City Manager have tried to bully us into paying the city by saying, where else would you go? The parents would never agree to travel anywhere. (**End of three minutes** Mayor allows Ms. Holub to continue for one minute) The parks maintenance director informed us this last Friday that he and his workers would no longer be touching the fields. Therefore, we had to spring into action meet up with a landscaping and maintenance company last night and pay them with the Little League's funds to prepare the fields today for the practices that started this evening. We are done with the back and forth until the city is ready to support the kids of this community again. We are simply asking for two things: fix the lights and give us priority during our season. We will take care of our kids. Are there any questions? Mayor Parten told Ms. Holub to

schedule a meeting with the City Manager, and Ms. Holub said that they have already done that and gotten nowhere. Mayor reiterated that they need to schedule a meeting and an agreement would be reached. We will take care of it.

Stephanie Garrett, Vice President of the Madisonville Little League, addressed Council: You all have seen my face at City Council meetings several times over the past two years trying to reach a resolution and I feel like we have been patient through the changing of the city managers from Camilla to Kevin, to Fabrice, and we have sat down with the mayor. There was a baseball tournament in town over the weekend. We are gearing up; our season starts today. We went out to the park to check over the fields. The bases on the softball fields, which have been previously run over by city workers, we've paid to replace the anchors in the bases. We have spent thousands of dollars and believe it or not it takes hours to replant the bases and put them in the right places and make sure they are safely secured in the ground. We found out that the other team has moved our bases to 90 feet, and we don't know where our anchors are. We were told that its not the cities responsibility because the city did not move the bases. And so, we are at the point where we need to come to a resolution. We have asked for something in writing detailing who is responsible for what so we don't have to do this back and forth but there has been no resolution. There have been conversations and there has been, let me take it to the City Attorney. Things have sat with the City Attorney for months. Do you get paid by the hour? I am not trying to say that you aren't looking but I am curious to know why. Am I allowed to ask him questions? We need something in writing, and we need to make something happen. Does anybody have any questions?

VI. CONSENT AGENDA

1. Approval of the minutes as written for August 8, 2022

2. Approval of Accounts payable for the previous month

Council Member Jaenicke made a motion to approve the minutes for the previous month and accounts payable and Council Member Hinojosa seconded the motion with all Council Members voting AYE, motion carried.

City Manager Kabona reminded council that there are seven items on the consent agenda and that they may pull an item for discussion if they would like or they can vote to approve all items in the consent agenda in one vote.

3. Resolution adopting the Madison County Hazard Mitigation Plan

4. Resolution authorizing the award of the Generator Improvements Contract 1-2022 for the purchase and installation of generators at Water Wells no. 3 and 6, and Police Station

5. Memorandum of Understanding between the City and Madison County regarding Fire Protection, County Jail and Dispatch Services and Utilities

- 6. Ordinance providing for the adoption of the Master Fee Schedule for all fees and charges assessed and collected by the City of Madisonville**

- 7. Resolution appointing the City Attorney**

Mayor Pro Tem McGilbra made a motion to approve items three through seven on the consent agenda and the motion was seconded by Council Member Davis with all Council Members voting AYE, motion carried.

VII. WORK SESSION

- 1. Discuss and receive a presentation from Bleyl Engineering regarding the Water Distribution Model**

John McCain, Bleyl Engineering delivered a presentation to Council regarding the Water Distribution Model describing the capabilities of the City Water System.

- 2. Amendment to Ordinance 850 – No Parking Zones on HWY 21 and 75**

Mayor Pro Tem McGilbra wanted to discuss the applicability to no parking zones required by Ordinance 850. He identified areas that did not have issues with no parking on HWY 21 and 75. Council discussed his concerns and decided to leave the ordinance as written.

VIII. PUBLIC HEARING

- 1. Budget for Fiscal Year 2022-2023**

No speakers.

- 2. Fiscal Year 2022-2023 Proposed Tax Rate.**

No speakers.

IX. REGULAR AGENDA.

- 1. Ordinance approving proposed Fiscal Year 2022-2023 budget for the fiscal year beginning October 1, 2022, ending September 30, 2023**

City Manager Kabona introduced the Ordinance to Council. Kabona reminded council that the budget was presented in the previous council meeting. He noted that the State Truth in Taxation required a public hearing, and that public hearing was just completed. The proposed tax rate is \$0.6939 per \$100 assessed valuation. The approval of the Ordinance would adopt the proposed budget and appropriate the necessary funds for maintenance and operating expenses. The notices for this meeting was posted on September 24th in the newspaper, on the City website, and at City Hall.

City Attorney Rodriguez informed Mayor Parten that a record vote was required.

Mayor Pro Tem McGilbra made a motion to approve the Ordinance adopting the budget for fiscal year 2022-2023 and the motion was seconded by Council Member Davis.

Record Vote:

Council Member Taylor: AYE

Council Member Hinojosa: AYE

Mayor Pro Tem McGilbra: AYE

Council Member Davis: AYE

Council Member Jaenicke: AYE

AYE: 5 NAY: 0 Motion Carried

2. Resolution ratifying the budget for the Fiscal Year 2022-2023 that results in an increase of revenues by 31.2% from property taxes over the previous year

City Manager Kabona introduced the Resolution ratifying the budget for Fiscal Year 2022-2023. He noted that ratifying the budget was a requirement under House Bill 3195 which requires Cities and Counties raising more revenues in property taxes that there be a separate vote to ratify the budget. The FY 2022-2023 budget and tax rate resulted in an increase of 31.2% from property taxes compared to the previous year. Staff recommends approval of the resolution with the following motion required by State Law: Motion to approve a budget that will result in an increase of revenue from property taxes than the previous year and to ratify a property tax revenue increase reflected in said budget.

City Attorney Rodriguez read the caption.

Council Member Davis made a motion to approve a budget that will result in an increase of revenue from property taxes than the previous year and to ratify a property tax revenue increase reflected in said budget and the motion was seconded by Council Member Hinojosa.

Record Vote:

Council Member Taylor: AYE

Council Member Hinojosa: AYE

Mayor Pro Tem McGilbra: AYE

Council Member Davis: AYE

Council Member Jaenicke: AYE

AYE: 5 NAY: 0 Motion Carried

3. Ordinance approving the proposed revenue increase from levying ad valorem taxes for fiscal year 2022/2023 at \$0.6939 per one hundred dollars assess valuation of all property within the corporate limits to provide revenues for

current maintenance and operation expenses; providing due and delinquent dates; penalties and interest; and providing disability exemption

City Secretary Greene read the caption.

Mayor Pro Tem McGilbra made a motion to increase the property tax rate by adoption of the tax rate \$0.6939 increasing the tax rate by 24.87% and the motion was seconded by Council Member Davis.

Record Vote:

Council Member Taylor: AYE

Council Member Hinojosa: AYE

Mayor Pro Tem McGilbra: AYE

Council Member Davis: AYE

Council Member Jaenicke: AYE

AYE: 5 NAY: 0 Motion Carried

4. Ordinance approving a negotiated settlement between ATMOS Cities Steering Committee and ATMOS Energy Corp., Mid-Tex Division regarding the Company's 2022 Rate Review Mechanism Filing

City Manager Kabona introduced the item. He noted that the impact on residential customers is an increase on an average of \$4.60 or 6.7% monthly while commercial customers would see an increase of \$14.34 or 4.3%. Staff recommends approval.

City Secretary Greene read the caption.

Mayor Pro Tem McGilbra made a motion to approve the ordinance approving the negotiated settlement between ATMOS Cities Steering Committee and ATMOS Energy Corp., Mid-Tex Division and the motion was seconded by Council Member Davis with all Council Members voting AYE, motion carried.

X. City Manager's Report

City Manager Kabona announced that the Glow in the Park would occur on September 24 at 7 pm at Lake Madison Park, National Night Out would occur on October 4 at 6 pm at Lake Madison Park, Planning and Zoning Meeting on October 4 at 6 pm. Finally, movie night on October 29 showing two movies at 5 and 7 pm at the Kimbro center. The Bogan street apartments were supposed to be completed this week, but it has been extended until November 7. Some items that needed to be corrected. The airport runway expansion and new lights will be starting September 19 for 120 days, estimated to be done by January 27th.

XI. Adjournment

Mayor Pro Tem McGilbra made a motion to adjourn the meeting and the motion was seconded by Councilmember Davis with all Councilmembers voting AYE, motion carried.