



**REGULAR COUNCIL MEETING
SEPTEMBER 11, 2023**

MINUTES

The Madisonville City Council met in a regular council meeting on September 11, 2023 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 Parten – Mayor
Chris McGilbra – Mayor Pro Tem
Mindy Crouch – Councilmember Place 2
Terri Davis – Councilmember Place 3
Brady Taylor – Councilmember Place 4
Melissa Hinojosa – Councilmember Place 5
Fabrice Kabona – City Manager
James Greene – City Secretary
Robin Cross – City Attorney
Krystal Carrol – Director of Finance
Herbert Gilbert – Chief of Police
Thom Jones – Fire Chief

I. CALL MEETING TO ORDER

Mayor Parten called the meeting to order at 6 p.m.

II. INVOCATION

Councilmember Taylor gave the invocation.

III. PLEDGES

Chief Gilbert led the pledges.

IV. PUBLIC FORUM

Kenda Mahaffey, the District Clerk/Technician for Bedias Creek Soil & Water Conservation District #428 addressed Council to provide information on Structural Repair and Operation & Maintenance of Flood Control Infrastructure in the district. She requested that an item be placed on a future agenda to discuss further.

V. CONSENT AGENDA

- 1. Approval of the minutes as written for August 14, 2023**
- 2. Approval of the minutes as written for August 29, 2023**
- 3. Approval of Accounts Payable for the previous month**

4. Approval of the Financial report for the previous month

Councilmember Davis requested that item 5 and 6 be removed for discussion. Councilmember Hinojosa made a motion to approve items 1 through 4 on the consent agenda and the motion was seconded by Councilmember Davis with all Councilmembers voting AYE, motion carried.

5. Ordinance accepting an amending plat of Lot 7 & 8, Block 2 of the R. M. Wallace Subdivision, (PLAT 139/209) in the J. S. Hunter Survey, A-110 on recommendation from the Planning and Zoning Commission

Councilmember Davis, Hinojosa, and Taylor asked questions regarding the structure that was encroaching on lot 8. City Secretary Greene explained that approximately 30 years ago, the structure was built and there is no record of a building permit from the City. He further explained that the developer of the property was unable to build until the encroachment was corrected. The developer decided to gift that portion of the property to the current owner and was paying for all related fees. Councilmember Davis asked about the variance which was approved by Planning & Zoning allowing the lot to be smaller than the lot size required by the Code of Ordinances. Greene advised that even though some of the dimensions were smaller than the Code allowed, the total square footage was still above the required minimum, and the Planning & Zoning Commission took that into consideration.

Councilmember Hinojosa made a motion to approve the item and the motion was seconded by Councilmember Taylor with all Councilmembers voting AYE, motion carried.

6. Ordinance accepting an amending plat of Lot 4, 5, and 6 in the A0010 Job S Collard Milling Partition on recommendation from the Planning & Zoning Commission

City Secretary Greene explained that this item was not the result of an error as in the case of item 5. This was brought before Planning & Zoning because two owners joined in application to adjust their shared lot line.

Mayor Pro Tem McGilbra made a motion to approve the item and the motion was seconded by Councilmember Taylor with all Councilmembers voting AYE, motion carried.

VI. PUBLIC HEARING

1. Proposed Budget for Fiscal Year 2023-2024

No speakers.

2. Proposed Tax Rate for Fiscal Year 2023-2024

No Speakers.

VII. REGULAR AGENDA

1. Ordinance approving the proposed Fiscal Year 2023-2024 budget beginning October 1, 2023 and ending September 30, 2024

City Manager Kabona introduced the item to Council and noted that the budget was presented in the previous regular meeting. He also noted that a public hearing was required and had been completed immediately prior to this item. 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 were posted on August 30, 2023 in the newspaper, on the City website, and at City Hall.

City Secretary Greene read the caption.

Councilmember Crouch made a motion to approve and adopt the budget which will raise more total property taxes than last year's budget by \$296,919 which is a 19.98% increase, and of that amount, \$21,153 is tax revenue to be raised from new and annexed property added to the tax roll this year. The motion was seconded by Councilmember Hinojosa.

Record Vote:

Councilmember Crouch: AYE

Councilmember Davis: AYE

Mayor Pro Tem McGilbra: AYE

Councilmember Hinojosa: AYE

Councilmember Taylor: AYE

AYE: 5 NAY: 0 Motion Carried

2. Resolution ratifying the budget for the fiscal year 2023-2024 as a result of the city receiving more revenue from property taxes in the 2023/2024 budget than the previous fiscal year

City Manager Kabona introduced the Resolution ratifying the budget for Fiscal Year 2023-2024. 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 2023-2024 budget and tax rate resulted in an increase of 39.39% from property taxes compared to the previous year.

City Secretary Greene read the caption.

Councilmember Hinojosa 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. The motion was seconded by Mayor Pro Tem McGilbra.

Record Vote:

Councilmember Crouch: AYE

Councilmember Davis: AYE

Mayor Pro Tem McGilbra: AYE

Councilmember Hinojosa: AYE

Councilmember Taylor: AYE

AYE: 5 NAY: 0 Motion Carried

3. **Ordinance approving the proposed revenue increase from levying ad valorem taxes for fiscal year 2023-2024 at \$0.6939 per \$100 assessed 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.

Councilmember Taylor 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 Councilmember Hinojosa.

Record Vote:

Councilmember Crouch: AYE

Councilmember Davis: AYE

Mayor Pro Tem McGilbra: AYE

Councilmember Hinojosa: AYE

Councilmember Taylor: AYE

AYE: 5 NAY: 0 Motion Carried

4. **Ordinance amending the annual budget previously adopted by ordinance 856 by increasing the general fund by a total of five-hundred and eleven thousand nine hundred and ninety-one and no/100 dollars (\$511,991); increasing the hot fund by seven thousand four hundred and fifty six and no/100 dollars (\$7,456.00); increasing the enterprise fund by twelve thousand two hundred and thirty three and no/100 dollars (\$12,233.00)**

City Manager Kabona introduced the item. Director of Finance Krystal Carrol explained the reason for the necessary changes.

City Secretary Greene read the caption.

Councilmember Davis made a motion to approve the item and the motion was seconded by Councilmember Taylor with all Councilmembers voting AYE, motion carried.

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

City Manager Kabona introduced the item. Councilmembers Davis and Hinojosa expressed a desire to research the costs of each service in the MOU on both the City and the County side.

City Secretary Greene read the caption.

Councilmember Hinojosa made a motion to approve the item and the motion was seconded by Councilmember Taylor, motion carried.

6. **Resolution adopting the City of Madisonville's Investment Policy and Strategy in accordance with Chapter 22565 of the local Government Code, "Public Funds Investment Act"**

City Manager Kabona introduced the item.

City Secretary Greene read the caption.

Councilmember Hinojosa made a motion to approve the item and the motion was seconded by Councilmember Davis, motion carried.

7. Resolution extending the Depository Contract with Prosperity Bank for the period of October 1, 2023 to September 30, 2025

City Manager Kabona introduced the item. After discussion, Council asked that the period be changed from two years to one.

City Secretary Greene read the caption.

Mayor Pro Tem McGilbra made a motion to approve the item and the motion was seconded by Councilmember Taylor, with all Councilmembers voting AYE, motion carried.

VIII. WORK SESSION

1. Amend the terms and term limits for each Planning & Zoning member to reflect four-year staggered terms and extend the term limits provided by CH. 46, Article XXXI, Sec. 46-920 of the Code of Ordinances.

City Secretary Greene introduced the item. He explained that over the past many years, the terms of the Planning & Zoning Commission departed from the required four-year staggered terms. He explained that the Planning & Zoning commission recommended amending the terms of its members to rectify the departure from the requirements. Additionally, he explained to Council that due to a lack of participation and restraints caused by the COVID-19 pandemic, the board struggled to retain membership leaving it lacking a quorum for a period of more than a year. Subsequently, the Planning & Zoning Commission recommended that Council amend the ordinance to allow for a third term of a member(s) based on extraordinary need. Council directed staff to draft an ordinance for consideration.

IX. CITY MANAGER'S REPORT

City Manager Kabona discussed the upcoming Trash-off event and the Street Fest.

X. ADJOURNMENT

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