



CITY OF ARCOLA

CITY COUNCIL AGENDA Meeting Minutes

Arcola City Hall, Room 124
13222 Highway 6
Arcola, Texas 77583

Minutes of Amended - Notice of a **Regular Meeting** of the City Council of the City of Arcola, County of Fort Bend, State of Texas, held on **Tuesday, December 12, 2023**, beginning at 6:00 p.m. at: **Arcola City Hall, Room 124; 13222 Highway 6; Arcola, Texas 77583** for the purpose of considering the following items. The City Council of the City of Arcola, Texas, reserves the right to meet in closed session on any of the below items should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

The meeting will live stream at <https://www.facebook.com/groups/349118908926238>.

TUESDAY, DECEMBER 12, 2023
CITY COUNCIL REGULAR MEETING
6:00 P.M.
CITY COUNCIL CHAMBER

CALL TO ORDER

Mayor Fred A. Burton called the meeting to order at 6:02 p.m..

INVOCATION

Council Member Rosemary Bigby gave the Invocation.

PLEDGE OF ALLEGIANCE TO FLAG

Council Member Evelyn Jones led the Pledge of Allegiance to the Flag.

ROLL CALL

Mayor Fred A. Burton and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco and Rosemary Bigby were present. Mayor Pro-Tem Florence Jackson arrived at 6:08 p.m. Also, present were Finance Director Ruthie Cable, City Administrator Dr. Annette Goldberg, City Secretary Sally Cantu, Assistant City Secretary Coretta Edwards, and City Attorney Debra Mergel.

I. PUBLIC COMMENTS

GENERAL AUDIENCE. Citizens who desire to address the City Council with comments of a general nature will be received at this time. The total amount of time that a member of the public may address the City Council is limited to three (3) minutes, provided that any member of the public who addresses the City Council through a translator is limited to six (6) minutes. In accordance with the Texas Open Meetings Act, the City Council is restricted from discussing or taking any action on items not listed on the agenda. It is our policy to have all speakers identify themselves by providing their name and residential address when making comments.

The City Council heard comments from Joyce Landry and Channing Corbett.

CONSENT AND REGULAR AGENDA ITEM. Citizens who desire to address the City Council, with regard to matters on the Consent Agenda or Regular Agenda will be received either at this time or, if they state at this time that they elect to do so, during the City Council's consideration of the item. The total amount of time that a member of the public may address the City Council on a given item is limited

to three (3) minutes, provided that any member of the public who addresses the City Council on a given item through a translator is limited to six (6) minutes. Comments or discussion by the City Council Members will only be made at the time the agenda item is scheduled for consideration. It is our policy to have all speakers identify themselves by providing their name and residential address when making comments.

Mr. Gavin Stevens introduced himself as the Civil Engineer for the Preliminary Plat for the Patel Post Road Development agenda item.

II. CITY COUNCIL COMMENTS

Notice is hereby given in accordance with Section 551.0415 of the Texas Government Code, the City Council of the City of Arcola may receive reports about items of community interest from City staff and/or a member of the City Council, but no action or possible action shall be taken or discussed concerning the subject of such report, except as provided by Section 551.042 of the Texas Government Code.

Fred A. Burton made comments on his agenda item. Mayor Pro-Tem Florence Jackson wished everyone a Happy, Safe, and Blessed Christmas and New Year, Council Member Evelyn Jones wished everyone a Merry Christmas and a Happy New Year. She inquired about the TrueLight Church status on being on the agenda. Council Member Ebony Sanco wished everyone Happy Holidays and she congratulated Officer Womack on his promotion. She hopes the City continue to flourish and make the right decisions and does the right thing, and Council Member Rosemary Bigby wished everyone a Happy New Year, Merry Christmas, Happy Hanukkah, and be safe.

III. CONSENT AGENDA

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

A. **Discussion, consideration of and possible action on the approval of the minutes of the regular meeting of November 14, 2023. *Sally Cantu, City Secretary***

Mayor Pro-Tem Florence Jackson moved to approve the previous meeting minutes of November 14, 2023; **seconded by Council Member Ebony Sanco.** All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby

Nay: 0

Motion carried 5-0

IV. PUBLIC HEARING: NONE

V. REGULAR AGENDA ITEMS

A. **Discussion, consideration of and possible action on the update of the 5th Annual BBQ Cook-Off and other related matters.**

Fred A. Burton reported that the BBQ Cook-off has been going on for 5 years and this is the first year he decided to cook and compete. He presented a 2nd Place Trophy in RIBS Category.

B. **Discussion, consideration of and possible action on the update of the Arcola Food Court and other related matters.**

Mayor Fred A. Burton reported that the groundwork, electrical and water on the location of the Arcola Food Court is complete. Vendors should begin getting their permits and start setting up soon and bring another look to the city.

C. Discussion, consideration of and possible action on the 2024 Town Hall Meeting and other related matters.

Mayor Fred A. Burton announced an upcoming Town Hall Meeting on the latter part of January or first part of February 2024. He hopes the city will come out to listen, bring their views, concerns, and comments to this Mayor.

D. Discussion, consideration of and possible action on the update of the Lift Station at City Hall and other related matters.

Mayor Fred A. Burton apologized to everyone for the lengthy process on the construction of the Lift Station at City Hall.

E. Discussion, consideration of and possible action on the update of the Street Improvement Project and other related matters.

Mayor Fred A. Burton announced the upcoming Street Improvement Project in certain areas on North Pine, South Pine, north side of Dallas Avenue and south side of Dallas Avenue and Rice Avenue.

F. Discussion, consideration of and possible action to assign numbers to city council members At-Large as follows: Rosemary Bigby, Position 2 and Florence Jackson, Position 4.

Mayor Pro-Tem Florence Jackson moved to assign numbers to city council members At-Large as follows: Rosemary Bigby, Position 2 and Florence Jackson, Position 4; **seconded by Council Member Greg Abarr**. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby
Nay: 0

Motion carried 5-0

G. Discussion, consideration of and possible action on the update of the month of November 2023 Bookkeeping Report, Financial Report, and other related matters.

Finance Director Ruthie Cable presented and reviewed the month of November 2023 Bookkeeping Report and Financial Report for the General and Enterprise Fund.

Mayor Pro-Tem Florence Jackson moved to accept the month of November 2023 Bookkeeping Report and Financial Report for the General Fund and Enterprise Fund; **seconded by Council Member Rosemary Bigby**. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby
Nay: 0

Motion carried 5-0

H. Discussion, consideration of and possible action on the update of Investment Report and other related matters.

Per the recommendation of the auditor, the city is to isolate the Investment Report; separate from the financials. Ms. Cable presented and reviewed the October and November Investment Reports. She will report the Investment Report on a quarterly basis.

Mayor Pro-Tem Florence Jackson moved to approve the Investment Report for the months of October and November; **seconded by Council Member Ebony Sanco**. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby
Nay: 0

Motion carried 5-0

I. Discussion, consideration of and possible action on the update of the month of November 2023 Permit Report and other related matters.

Permit Administrator Lyneshia Garrette presented and reviewed the permit report for the month of November 2023 Permit Report.

Mayor Pro-Tem Florence Jackson moved to accept the month of November 2023 Permit Report; **seconded by Council Member Rosemary Bigby.** All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby
Nay: 0

Motion carried 5-0

J. Discussion, consideration of and possible action on the update of the month of November 2023 Police Report and other related matters.

Chief Arika Carr introduced Officer Womack as Sergeant for the Arcola Police Department. Chief Carr introduced Lieutenant Wilson for the Arcola Police Department.

Chief Arika Carr presented and reviewed the Police Report for the month of November 2023.

Mayor Pro-Tem Florence Jackson moved to accept the month of November 2023 Police Report; **seconded by Council Member Evelyn Jones.** All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby
Nay: 0

Motion carried. 5-0

K. Discussion, consideration of and possible action on the update of the month of November 2023 Operator's Report and other related matters. *John Montgomery, Municipal Operations and Consulting, Inc.*

Mr. John Montgomery of Municipal Operations and Consulting, Inc. presented and reviewed the month of November 2023 Operator's Report.

Mayor Pro-Tem Florence Jackson moved to accept the month of November 2023 Operator's Report; **seconded by Council Member Evelyn Jones.** All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby
Nay: 0

Motion carried. 5-0

L. Discussion, consideration of and possible action on the ARCOLA FARMS REPLAT NO 2. A SUBDIVISION OF 3.0021 ACRES SITUATED IN THE MANUEL ESCALERA SURVEY, A-170, IN FORT BEND COUNTY, TEXAS; BEING ALL OF LOTS 1, 2, 3, 4, 5, 6, 7 AND 8 AND RESERVE "A", IN BLOCK 1, ARCOLA FARMS PARTIAL REPLAT NO. 1, RECORDED IN PLAT NUMBER 20170174 OF THE PLAT RECORDS, FORT BEND COUNTY, TEXAS. REASON FOR REPLAT TO CREATE SIX (6) LOTS, TWO (2) DETENTION RESERVES, AND ONE (1) BLOCK.

Mr. Llarance Turner of Kaluza Inc. presented and reviewed Arcola Farms Replat No. 2. This tract is in the City of Arcola Extra Territorial Jurisdiction (ETJ). It is located on the corner of Long Street and Coen Road. They are getting served from the City of Arcola. Kaluza, Inc. staff has no objection to this plat and recommend approval of Arcola Farms Replat No. 2.

Council Member Greg Abarr moved to approve ARCOLA FARMS REPLAT NO 2. A SUBDIVISION OF 3.0021 ACRES SITUATED IN THE MANUEL ESCALERA SURVEY, A-170, IN FORT BEND COUNTY, TEXAS; BEING ALL OF LOTS 1, 2, 3, 4, 5, 6, 7 AND 8 AND RESERVE "A", IN BLOCK 1, ARCOLA FARMS PARTIAL REPLAT NO. 1, RECORDED IN

PLAT NUMBER 20170174 OF THE PLAT RECORDS, FORT BEND COUNTY, TEXAS. REASON FOR REPLAT TO CREATE SIX (6) LOTS, TWO (2) DETENTION RESERVES, AND ONE (1) BLOCK; **seconded by Mayor Pro-Tem Florence Jackson.** All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby
Nay: 0

Motion carried. 5-0

- M. Discussion, consideration of and possible action on the Preliminary Plat of "PATEL POST ROAD DEVELOPMENT-- A SUBDIVISION OF 34.3948 ACRES OFF THE POST ROAD, EAST OF FM 521. TOTAL OF 70 SINGLE FAMILY RESIDENTIAL LOTS 50 FEET RIGHT-OF-WAY PUBLIC STREET, RESERVE FOR THE DETENTION POND, 100 FEET WIDE DEDICATED ON THE SOUTH SIDE FOR THE FUTURE POST ROAD. PRELIMINARY DESIGN OF WATER, WASTEWATER LINES AND DRAINAGE IS PROVIDED. AVERAGE LOTS ARE 45 FEET WIDE BY 110 FEET DEEP HAVE SQUARE FEET OF 4,950 SQUARE FEET. WATER AND SEWER ARE AVAILABLE. *H.H. Doshi, Doshi Engineering & Surveying Company***

Council Member Greg Abarr modified his motion to reject the Preliminary Plat of Patel Post Road Development; seconded by Council Member Ebony Sanco. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby
Nay: 0

Motion carried. 5-0

- N. Discussion, consideration of and possible action on the Broussard Bend Section 1 Preliminary Plat previously known as Fenn Road.**

Council Member Greg Abarr moved to reject the Broussard Bend Section 1 Preliminary Plat; seconded by Council Member Evelyn Jones. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby
Nay: 0

Motion carried. 5-0

VI. CONTRACTS AND AGREEMENTS

- A. Discussion, consideration of and possible action on the Additional Expansion of Regional Wastewater Treatment Plant on behalf of Fort Bend County Fresh Water Supply District No. 1, indicating the District's Acceptance of Lowering the Requested Additional Expansion of the WWTP for the benefit of the district to 450,000 gallons per day.**

Council Member Greg Abarr moved to approve the Fort Bend County Fresh Water Supply District No. 1 request for expanding WWTP b 450,000 gallons per day lowering from 500,000 to 450,000; seconded by Evelyn Jones. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby
Nay: 0

Motion carried. 5-0

- B. Discussion, consideration of and possible action on an amendment to the City's contract with the Utility Operator to allow the mayor to implement a Minority and Women-Owned Business Enterprises program to select alternate providers to perform some duties under the contract.**

City Administrator Dr. Annette Goldberg noted that they have been working with the legal department and they are requesting to table this item.

Council Member Evelyn Jones moved to table VI. Contracts and Agreements B.; seconded by Council Member Greg Abarr. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby

Nay: 0

Motion carried. 5-0

C. Discussion, consideration of and possible action to contract with Houston Plumbing and Gas, LLC (MWBE) for certain utility services to include taps, services, repairs, etc.

City Administrator Dr. Annette Goldberg noted that they have been working with legal and they are requesting permission to enter into a contract. No contract has been established at this time and they are requesting permission to provide these services in addition to MOC providing them. Ms. Monica Lam introduced herself to the City Council and presented her credentials.

After review and discussion, **Council Member Greg Abarr moved** to allow the Mayor and the City Administrator and the attorney to work on a contract as an alternative for doing point repairs and water and sewer taps; **seconded by Council Member Rosemary Bigby.** All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby

Nay: 0

Motion carried. 5-0

D. Discussion, consideration of and possible action to enter into a contract with TXU for 96 months from a current rate of \$0.04330/kWh to \$0.06715/kWh.

City Administrator Dr. Annette Goldberg noted that the city currently has a 4-year contract which will conclude in January 2024. She asked the provider to go out in the market for quotes on rates. After going out for quotes, they recommended a rate of \$.06889 for the next 60 months.

After looking into it, the Finance Director, the Mayor, and Dr. Goldberg liked the rate of \$0.06715/kWh for 96 months and to lock it in.

After discussion, **Council Member Greg Abarr moved** to approve TXU on a 96-month contract; **seconded by Mayor Pro-Tem Florence Jackson.** All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Greg Abarr, Ebony Sanco, Rosemary Bigby

Nay: Council Member Evelyn Jones

Motion carried. 4-1

VII. ORDINANCES AND RESOLUTIONS

A. Discussion, consideration of and possible action on CITY OF ARCOLA ORDINANCE NO. 2023-12-12 AN ORDINANCE OF THE CITY OF ARCOLA, TEXAS, ADOPTING AN ANIMAL WASTE DISPOSAL ORDINANCE, PROVIDING FOR REPEAL, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Chief Arika Carr requested approval to adopt an animal waste disposal ordinance. After review and discussion, **Council Member Greg Abarr moved** to approve City of Arcola Ordinance No. 2023-12-12; AN ORDINANCE OF THE CITY OF ARCOLA, TEXAS, ADOPTING AN ANIMAL WASTE DISPOSAL ORDINANCE, PROVIDING FOR REPEAL, PROVIDING FOR

SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE; **seconded by Council Member Rosemary Bigby.** All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby
Nay: 0

Motion carried. 5-0

- B.** Discussion, consideration of and possible action on **CITY OF ARCOLA ORDINANCE NO. 2023-12-12A** AN ORDINANCE OF THE CITY OF ARCOLA, TEXAS, AMENDING ITS CODE OF ORDINANCES AT 14.12 ABANDONED VEHICLES, PROVIDING FOR REPEAL, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Chief Arika Carr reported that this ordinance replaces the old vehicle ordinance. It also adds antique vehicle regulations. After review and discussion, **Council Member Rosemary Bigby moved** to approve CITY OF ARCOLA ORDINANCE NO. 2023-12-12A AN ORDINANCE OF THE CITY OF ARCOLA, TEXAS, AMENDING ITS CODE OF ORDINANCES AT 14.12 ABANDONED VEHICLES, PROVIDING FOR REPEAL, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE; **seconded by Council Member Greg Abarr.** All were in favor.

VIII. CLOSED EXECUTIVE SESSION

The City Council adjourned into Closed Executive Session on Tuesday, December 12, 2023 at 7:45 p.m.

- A.** Closed Executive Session as authorized by Chapter 551, Texas Government Code, in accordance with:
Section 551.071 Consultation with Attorney

The City Council reconvened into Regular Session on Tuesday, December 12, 2023 at 8:17 p.m.

IX. ORDINANCES AND RESOLUTIONS

- A.** Discussion on **CITY OF ARCOLA ORDINANCE NO. 2023-12-12B:** AN ORDINANCE OF THE CITY OF ARCOLA, TEXAS DISANNEXING AND EXCLUDING AN 83.098-ACRE TRACT OF LAND FROM THE CITY OF ARCOLA'S CORPORATE CITY LIMITS; REDEFINING THE BOUNDARIES OF THE CITY OF AROLA; MAKING FINDINGS OF FACT; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR REFUND OF PROPERTY TAXES, AND RELATED PROVISIONS.

Council Member Greg Abarr moved to table **IX. ORDINANCES AND RESOLUTIONS A;** **seconded by Council Member Evelyn Jones.** All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby
Nay: 0

Motion carried 5-0

X. ADJOURNMENT

Council Member Greg Abarr moved to adjourn at 8:19 p.m.; **seconded by Council Member Evelyn Jones.** All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, Rosemary Bigby
Nay: 0

Motion carried 5-0