

AMENDED

October 15, 2022

The City of San Augustine City Council will meet for a regular meeting on **Tuesday, October 18, 2022 at 5:00 p.m.** The meeting will be held in the Council Chambers located at 301 South Harrison Street, San Augustine, Texas.

Wylma Hewett – City Secretary

A G E N D A

1. Call Meeting to Order
2. Prayer
3. Pledge To the Flags
4. Welcome Guest
5. Citizen Presentations: At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting. Please limit to two minutes each.
6. Approval of Minutes of Previous Meeting
7. Update on Police Department Activity
8. Judge Jeff Cox – Update on Municipal Court Activity
9. Tracy Cox - Update on Main Street Program
10. Update from City Manager Jeaneyse Mosby
11. Discussion and Action, if Any, to Adopt a Resolution to Select an engineering Firm For the Texas General Land Office or the Texas General Land Office For the Community Development Block Grant Mitigation Regional Allocation Program.
12. Discussion And Action If Any to Submit an Application to the Texas General Land Office for the Community Development Block Grant Mitigation Regional Allocation Program.
13. Discussion and Action if Any to Raise the Compensation for Council Members and Mayor.
14. Discussion and Action if Any Regarding the Use of City Vehicles by The Police Department to Fulfill Duties Outside the Scope of their Job Description
15. Discussion and Action if Any to pass a Resolution to authorize the San Augustine County Chamber of Commerce Sassafras Festival
16. Executive Session
 - A. Pursuant to Texas Government Code §551.071 Consultation with Attorney Under Section §551.086 Certain Public Powers Utilities Matters - Discussion of Proposed Agreement Regarding San Augustine Rural Water Delinquent Balances.
 - B. Pursuant to Texas Government Code §551.074 Personnel Matters; City Police Department Job Performance
17. Reconvene Open Meeting for Discussion and Action If Any on Executive Session Item #16
18. Adjourn

<p>The City Council 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, Section 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).</p>
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The City of San Augustine held its regular meeting on Tuesday, October 18, 2022 at 5:00 p.m.

Members present were:

Mayor	Leroy Hughes
Alderman	Marcus Hafford
Alderwoman	Pamela Teel
Alderman	Dan Fussell
Alderman	Stacy Watts
Attorney	Wade Flasowski
City Manager	Jeaneyse Mosby
City Secretary	Wylma Hewett

Alderman Steven Standley was absent.

Mayor Leroy Hughes called the meeting to order at 5:00 p.m.

Mayor Hughes offered prayer.

The pledge to the flags was recited in unison.

Mayor Hughes welcomed guests.

Guest present were:

Chris Anding	Steven Hays	Charles Adamchycck
Patrick Jackson	Andy DeSham	Mike Jackson
Mollie Litton	Rod Litton	Stephen Stoneham
Judy Stoneham	Jerry Nickerson	Betty Oglesbee
LaTasha Byrd	Mike Marshburn	BJ Hoppe
Anthony Thomas	Jonathan Sowell	Cindi Caston
Mark Liepman	Jeff Reider	Robert Cartwright

5. Citizens Presentations

- Stephen Hayes – in a written statement, Mr Hayes made clear his lack of support for the increase in compensation for the Council and Mayor. He referenced the history of remarks held in past council meetings regarding the desire to find ways to cut the City Budget in other ways than increasing rates and fees. He finds the request for increased compensation to the council to not be in line with cost saving initiatives.
- Mark Liepman – Also spoke out in opposition of the increased compensation for the Council and Mayor. He listed items in the City including infrastructure repairs and the lack of business opportunities as areas that needed attention, rather than increased compensations for these elected officials.

6. Approval of Minutes of Previous Meeting(s)

Alderwoman Pam teel offered the motion to approve the minutes of the previous meeting(s). Alderman Stacy Watts seconded the motion. Voting in favor of the motion were, Alderman Marcus Hafford, Alderman Watts, Alderwoman Pam Teel and Alderman Dan Fussell. Motion carried.

7. Update on Police Department Activity

Chief Shannon Brazeal gave the update on the police department's activity for the month of August. Activity included: reports filed 45; 3 felony arrests; 6 misdemeanor arrests; 1 assist other agencies; 318 responses on calls for service; 1 juvenile case; 5 auto accident response/report; 54 citations; 153 warnings; and 0 completed mental health warrants.

8. Judge Jeff Cox - Update on Municipal Court Activity

It was reported that 54 citations were received and collections of \$2052.00 for the month of September. Remitted to State - \$1008.00 and City retention - \$1044.00.

We will continue to work with our collection agency to back where it should be as we still have many outstanding fines to be collected.

9. Tracy Cox - Update on Main Street Program

It was announced that during the Sassafras Festival on October 22, 2022, the Texas Treasure Business Award would be awarded to the Jackson Family for maintaining the McLemore Laundromat. This year will mark the 61st year anniversary of this business.

Other businesses are scheduled to be opened in the Downtown area in the very near future. The Christmas Parade will be held on Friday December 2, 2022.

10. Update from City Manager Jeaneyse Mosby

We have received many calls regarding the new structure of the Utility Billing Statement, specifically the addition of the PCA Factor Rate breakout. This charge is the portion of the electricity pass through cost assessed by DETCO, our electrical provider. The ELER charge is the cost for the city to actually get the electricity to the consumer.

11. Discussion and Action, if Any, to Adopt a Resolution to Select an engineering Firm for the Texas General Land Office for the Texas General Land Office for the Community Development Block Grant Mitigation Regional Allocation Program.

This resolution is authorizing the selection of an engineering firm for the \$1.6 million dollars from Hurricane Harvey. Although this grant was non-competitive, we must have an engineering firm to oversee the project. It is the recommendation of the scoring committee to select KSA as the engineering firm.

A motion was offered by Alderman Dan Fussell to adopt Resolution No. 2022-005 selecting KSA as the engineering firm for the Texas General Land Office for the Community Development Block Grant Mitigation Regional Allocation Program. Alderman Hafford seconded the motion. Voting in favor were Alderwoman Teel, Aldermen Watts, Hafford and Fussell. Motion carried.

12. Discussion and Action If Any to Submit an Application to the Texas General Land Office for the Community Development Block Grant Mitigation Regional Allocation Program.

This resolution is authorizing that an application be submitted for the \$1.6 million dollars from Hurricane Harvey. The grant funds will provide hurricane, tropical storm, tropical depression and/or riverine flooding mitigation related to the sewer system improvements. Although this grant was non-competitive, we still must submit an application indicating how and what the funding will be used for. It is our intention that it be used for sewer improvements. This application also authorizes Mayor Hughes and Mayor Pro Temp Daniel Fussell be the official signing officers for this project.

A motion was offered by Alderman Dan Fussell to adopt Resolution No. 2022-006 approving the submission of an application for the Texas General Land Office for the Community Development Block Grant Mitigation Regional Allocation Program. Alderwoman Teel seconded the motion. Voting in favor were Alderwoman Teel, Aldermen Watts, Hafford and Fussell. Motion carried.

13. **Discussion and Action if Any to Raise the Compensation for the City Council Members and Mayor.**

This item is per the request made by Alderman Stacy Watts and Alderman Steven Standley. It went through the proper channels; meaning that if a Council member would like something put on the agenda, they must submit the request in writing. There must be two members making the request.

Currently the Council receives \$100 per month and the Mayor receives \$150. The requested increase is \$100 per meeting. After referencing the policies of other like sized cities, the compensation rates range from nothing at all and \$5 on the low end to the \$100 for San Augustine.

After discussion, a motion was offered by Alderman Watts moving that the Council and Mayor begin to receive a monthly increase in an unspecified dollar amount beginning in November 2022. The motion dies for lack of a 2nd.

14. **Discussion and Action if Any Regarding the Use of City Vehicles by The Police Department to Fulfill Duties Outside the Scope of their Job Description**

This agenda item was requested to be put on the agenda by Alderman Stacy Watts and Alderman Steven Standley.

The concern is that no other department can utilize city equipment or vehicles for their own personal gain. There are times that the City Officers may do Security Work for the Housing Authorities and while doing so they will utilize a City Patrol Car if there was a unit available. City Manager Jeaneyse Mosby spoke with Chief Shannon Brazeal, and this is something that the City of San Augustine has done for years past. The agreement is that the officer can use a patrol car at the location they are serving as security while in the city limits; but should their assistance be needed at another location, they will leave to go assist where needed even though they are not on duty. There is no written agreement, but there has always been an understanding that this allowed. Chief Brazeal did reach out to other surrounding cities and counties and it was determined that this was standard practice in these areas as well. The only exception was that before San Augustine ISD purchased their own district patrol car, a City Police unit was made available to travel out of town to provide security for our students and staff.

Following discussion, Alderman Dan Fussell offered a motion that City Manager Jeaneyse Mosby continue to supervise the employees of the city, including the Police Department, and use her judgement in the day-to-day operations of the City. Also, that the agreement for the off-duty officers be able to use a patrol car during Security details at the Housing Authority continue and that this agreement be put in writing for clarification. Alderwoman Teel seconds the motion. Voting for approval of the motion were Aldermen Hafford and Fussell and Alderwoman Teel. Alderman Stacy Watts abstained. Motion passes.

15. **Discussion and Action if Any to pass a Resolution to authorize the San Augustine County Chamber of Commerce Sassafras Festival**

This agenda item is for the recommendation of the Street Closures for the San Augustine County Chamber of Commerce Sassafras Festival. An agreement with the Texas Department of Transportation for temporary street closures on October 22, 2022 from 6:00 a.m. to 6:00 p.m.

Alderman Dan Fussell offered a motion that the City enter into an agreement with the Texas Department of Transportation for the temporary street closures on October 22, 2022 from 6:00 a.m. to 6:00 pm. Alderman Watts seconds the motion. Voting for approval of the motion were Aldermen Hafford, Watts and Fussell and Alderwoman Teel. Motion carried.

16. **Executive Session**

- A. **Pursuant to Texas Government Code §551.071 Consultation with Attorney Under Section §551.086 Certain Public Powers Utilities Matters - Discussion of Proposed Agreement Regarding San Augustine Rural Water Delinquent Balances.**
- B. **Pursuant to Texas Government Code §551.074 Personnel Matters; City Police Department Job Performance**

Prior to dismissal for the Executive Session, Police Chief Shannon Brazeal cited 551.074B requesting that item B, regarding the City Police Department Job Performance be held in open session. City Attorney noted this objection and would further discuss the determination in the executive session.

Dismissed to Executive session at 5:35

17. **Reconvene Open Meeting for Discussion and Action If Any on Executive Session Item #16**

Open Session reconvene at 5:50. Total of fifteen (15) minutes in Executive Session.

Regarding Item 16, section B – Police Department Performance:

Attorney Wade Flasowski states that item A was addressed in executive session and that item B will be held in open session per the request of Chief Shannon Brazeal. Mr. Flasowski states that procedurally it is permissible under the open meetings act, for us to have listed item B to be held in closed session. At Chief Brazeal election, we will address this item in open session. There is some grey area whether it should be held in open session or not, but because this does not involve a specific complaint as to a specific member of the police department. Usually, personnel matters are held in closed session so as to make public the issues in discussion. Moving forward Item B will be discussed in open session at this time.

City Manager Jeaneyse Mosby stated that she was asked to put this item on the agenda by Aldermen Watts and Standley, and it references the entire department not just the Chief. In conversations held before the hiring of Chief Brazeal, which was also before the appointment of Mrs. Mosby, it was stated that the chief would be a “WORKING CHIEF”. It was not made clear what that Entailed. They are doing a good job. The Code Enforcement Officer Cameron Nichols Department is up and running, doing a good job and has had a good response. She also reports that the Chief checks in with her

several times a week updating her on the department activities.

It was also noted that the documentation issue between tickets written by the police department and tickets addressed in the Municipal Court has been resolved; which was a direct concern of Alderman Standley in previous council meetings.

Alderman Dan Fussell remarked that the roll of Chief of Police is an administrative job that limits the time that he can be in the field. Alderman Fussell supports the job that he is doing.

Alderwoman Pam Teel states that Chief Brazeal always addresses any question she has had in a timely manner and has always done a good job.

Alderman Marcus Hafford supports Chief Brazeal. "Chief Brazeal is the Supervisor of the Police Department, and is always available to resolve any public issues."

City Attorney Wade Flasowski recommends that the city further defines what a "Working Chief" is; what is his expected "full time" hours and duties so that all are on the same page.

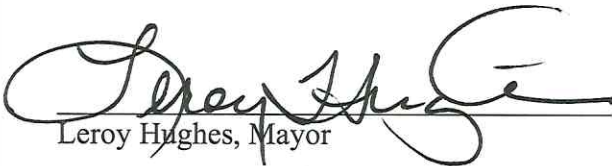
After discussion, no action is to be taken other than making sure that new officers added to the department are introduced to the Council. Chief Brazeal and City Manager Mosby indicated that a Community Meet and Great will be held in the near future.

Regarding Item 16, section A – Discussion of Proposed Agreement Regarding San Augustine Rural Water Delinquent Balances.

A motion was offered by Alderman Dan Fussell to accept the proposed agreement between the City and The San Augustine Rural Water to retire their delinquent balances. Alderwoman Teel seconded the motion. Voting in favor were Alderwoman Teel, Aldermen Fussell and Watts. Motion Carried. Alderman Marcus Hafford had left the meeting.

18. Adjourn

Meeting adjourned at 7:15 p.m.


Leroy Hughes, Mayor


Wylma Hewett, City Secretary

(Minutes taken by Wylma Hewett, Former City Secretary, and attested by Jeremy Lynch, Current City Secretary)