

REGULAR MEETING  
MONDAY, MARCH 09, 2015  
6:30 p.m.

A Regular Meeting of the Anahuac City Council was held in the Council Chambers of Anahuac City Hall located at 501 Miller Street, Anahuac, Texas on Monday, March 09, 2015 at the above noted time.

There were present:

Cheryl Sanders	Mayor
Hall Whitley	Alderman
Danny Thompson	Mayor Pro Tem
Miguel Anderson	Alderman
Janice Jircik	Alderwoman
Richard Ferguson	City Attorney
Ken Bays	City Administrator
Julie Harvill	City Secretary
Robin Deville	Maintenance & Repair Foreman

Those not present:

Amanda Hornsby-Abshier	Alderwoman
Richard Baker	City Attorney

Guests:

Dayna Haynes	The Progress
Jeff Leavins	Engineer Consultant, Carroll & Blackman
Keith Zotzky	Engineer Consultant, Carroll & Blackman
Jeff Scogin	Engineer Consultant, Carroll & Blackman
Kerry Bay	Code Enforcement Officer (Employee)
Tish Marshall	Anahuac Volunteer Fire Department
Chris Jircik	Citizen

**Regular Meeting**

Mayor Sanders called the regular meeting to order at 6:30 p.m. Alderman Whitley led the invocation and Alderwoman Jircik led the pledges.

Mayor Sanders moved to item 1 comments from the audience, there were no comments.

Mayor Sanders moved to item 2 discussion and possible action on citizen's agenda request:

- a. **Keitha Cooper** – Requesting more time on mobile home – Church in Houston is helping her try to locate one. A motion giving Ms. Cooper more time (until the next Council meeting) was made by Alderman Anderson. The motion was seconded by Alderwoman Jircik, all were in favor and the motion carried.

- b. **Leonard Wilson** – Requesting senior citizen discount to continue. A motion was made by Alderman Anderson to approve the request for the senior citizen discount to continue. The motion was seconded by Alderwoman Jircik, all were in favor and the motion carried.
- c. **Anahuac ISD** – Requesting the administration late charge of \$300.00 for their food permits be waived. A motion was made by Alderman Anderson to not approve the request to waive the late charge. The motion was seconded by Alderman Whitley, all were in favor and the motion carried.
- d. **Debbie Nadal** – Requesting the City reimburse her \$250.00 she had to pay to B & B for sewage stoppage when the problem was on the City side. A motion to not approve the reimburse was made by Alderman Whitley. The motion was seconded by Alderwoman Jircik, all were in favor and the motion carried.
- e. **Trinity Bay RV Park** – Requesting and adjust over their sewage portion of their bill due to a water leak. A motion to approve the credit pending the citizen brings in receipt in showing where repairs had been made was made by Mayor Pro Tem Thompson. The motion was seconded by Alderman Whitley, all were in favor and the motion carried.
- f. **Bobbie Russel** – Requesting an adjustment off her sewer portion of her bill due to a water leak. If approved, the credit would be for \$195.93. A motion to approve the credit was made by Alderman Whitley. The motion was seconded by Alderwoman Jircik, all were in favor and the motion carried.

Mayor Sanders moved to item 3 discussion and possible action on Ordinance No. 2015-03-02, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANAHUAC, TEXAS, AMENDING CHAPTER 130 “GENERAL OFFENSES” OF THE CODE OF ORDINANCES, ANAHUAC, TEXAS TO EXPAND THE PROHIBITION OF ILLICIT SYNTHETIC SUBSTANCES, TO REGULATE THE DISPLAY AND PACKAGE LABELING OF HERBAL INCENSE; AND TO DECLARE CERTAIN CONDUCT TO BE UNLAWFUL; PRESCRIBING A MAXIMUM PENALTY TO TWO THOUSAND AND NO/100 DOLLARS (\$2,000); PROVIDING A REPEALING CLAUSE; CONTAINING A SAVINGS CLAUSE; AND PROVIDING FOR THE PUBLICATION AND EFFECTIVE DATE THEREOF.** A motion to approve Ordinance No. 2015-03-02 was made by Alderwoman Jircik. The motion was seconded by Alderman Anderson, all were in favor and the motion carried.

Mayor Sanders moved to item 4 discussion and possible action on City Water Plant Project, City Sewer Projects, and related engineering matters, including but not limited to the following:

- a. Pay request # 7 for PLACO
- b. Update on the Water Line Replacement Project
- c. Carroll and Blackman Engineers, Inc., report of status of proposed Water Plant and relate utility system Capital Improvements

Jeff Scogin informed Council that all areas of concern with the Water Line Replacement Project had been completed except the hump in the road on Highway 61. The Contractor is working with TXDOT to repair the issue with the hump, and that a final inspection walk through would be done with Robin Deville, Maintenance & Repair Foreman before the retainage payments was released. Jeff Leavins gave an update on the status of the Water Plant Project, he informed Council that TCEQ had given a conditional approval and that was due to the issue of grass runway they are coordinating with the FFA on it normally takes about 40-60 days. Everything else is good. A motion to approve pay request # 7 in the amount of \$23,731.77 was made by Mayor Pro Tem Thompson. The motion was seconded by Alderwoman Jircik, all were in favor and the motion carried.

Mayor Sanders moved to item 5 discussion and possible action on EMS agreement with the City of Anahuac. A motion to bring back next month after speaking with City Attorney Richard Baker was made by Alderman Whitley. The motion was seconded by Alderwoman Jircik, all were in favor and the motion carried.

Mayor Sanders moved to item 6 discussion and possible action on AVFD agreement with the City of Anahuac. Mayor Sanders and City Attorney Richard Ferguson informed Ms. Tish Marshall that Mr. Baker had requested copies of their amendment of organization that wasn't showing being filed with the Secretary of State. Ms. Marshall stated she would check into the issue and e-mail Mr. Baker the information.

Mayor Sanders moved to item 7 discussion and possible action on requirements of address numbers placed on buildings per International Property Maintenance Code 304.3. Mayor Pro Tem Thompson wanted to clarify that we were requiring 4" numbers due to misinformation being given out. Mr. Bays informed Council that everyone at City Hall would clarify numbers had to be 4".

Mayor Sanders moved to item 8 discussion and possible action on sending Robin Deville and Mark Hainley to Surface Water Production II class in Beaumont, Texas April 28, 2015 through April 30, 2015. A motion to approve both attending the class was made by Alderman Whitley. The motion was seconded by Mayor Pro Tem Thompson, all were in favor and the motion carried.

Mayor Sanders moved to item 9 discussion and possible action on adding Ken Bays, City Administrator to all bank accounts, and all signature cards. A motion to add Mr. Bays was made by Mayor Pro Tem Thompson. The motion was seconded by Alderman Whitley, all were in favor and the motion carried.

Mayor Sanders moved to item 10 discussion and possible action on 2015 Election Items.

- a. Certification of Unopposed Candidates
- b. Ordinance No. 2015-03-01, **AN ORDINANCE DECLARING UNOPPOSED CANDIDATES IN THE MAY 09, 2015 GENERAL CITY ELECTION, ELECTED TO OFFICE; CANCELING THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

A motion to approve to approve both a and b was made by Alderwoman Jircik, The motion was seconded by Alderman Whitley, all were in favor and the motion carried.

Mayor Sanders moved to item 11 discussion and possible action on possibly amending Chapter 152 Mobile Homes; Manufactured Homes and Chapter 90 Health and Sanitation; Nuisances. City Attorney Richard Baker was working on amending Chapter 152 Mobile Homes; Manufactured Homes, Council would it placed on next agenda to discuss pending receiving Mr. Baker's recommendations. Mayor Sanders would like to amend our current Ordinance pertaining to the rubbish and would like to use the ordinance from Stage Coach to develop our amended ordinance. No action was taken. A motion approve Ordinance No. 2015-03-03, **AN ORDINANCE PROHIBITING CLUTTER AND REFUSE WITHIN THE CITY LIMITS; INSTITUTING CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS (\$500.00); ESTABLISHING PROCEDURES FOR THE PLACEMENT AND FORECLOSURE OF LIENS RESULTING FROM VIOLATIONS OF THIS ORDINANCE.** was made by Alderman Whitley. The motion was seconded by Alderwoman Jircik, all were in favor and the motion carried.

Mayor Sanders moved to item 12 discussion and possible action on bookkeeper's report for February 2015. A motion to approve the bookkeeper's report was made by Alderman Whitley. The motion was seconded by Mayor Pro Tem Thompson, all were in favor and the motion carried.

Mayor Sanders moved to item 13 discussion and possible action on accounts payable. A motion to approve accounts payable was made Alderwoman Jircik. The motion was seconded by Alderman Anderson, all were in favor and the motion carried.

Mayor Sanders moved to item 14 discussion and possible action on approval of minutes from February 9, 2015. A motion to approve the minutes was made by Mayor Pro Tem Thompson. The motion was seconded by Alderman Whitley, all were in favor and the motion carried.

Mayor Sanders moved to item 15 discussion and possible action on a date and time for workshop; included but not limited to the following:

- a. ATV & Golf Cart Ordinance
- b. Cat Ordinance
- c. Developing a Resolution for Storm Surge
- d. Updating Solid Waste Ordinance

A motion to hold the workshop on Monday March 23, 2015 at 6:45 was made by Alderwoman Jircik. The motion was seconded by Alderman Anderson, all were in favor and the motion carried.

Mayor Sanders moved to item 16 convene into closed session on the following:

- a. Pursuant to Open Meetings Act, Chapter 551, Section 551.071 of the Texas Government Code – Consultations with Attorney; regards pending/possible Litigation.
- b. Pursuant to Open Meetings Act, Chapter 551, Section 551.074 of the Texas Government Code – for deliberation regarding personnel matters to discuss the employment, evaluation, reassignment, duties, discipline, or dismissal of Code Enforcement Official Kerry Bay.  
(placed by Mayor Sanders)

A motion to convene into closed session for item a was made by Alderman Anderson. The motion was seconded by Alderman Whitley, all were in favor and the motion carried. Council convened into closed session at 7.32 p.m.

Mayor Sanders moved to item 17: reconvene into open session and take action, if necessary, on closed items. Council reconvened into open session at 7:41 p.m. No action was taken on item A.

Mayor Sanders moved to item b of 16: Item b – Kerry Bay wanted hers held in open session instead of closed session. Mr. Bays suggested to Council for him and Robin Deville to get together with Mrs. Bay and develop a plan of action and bring that plan back to Council at the next meeting. Council agreed with that and no action was taken.

Mayor Sanders moved to item 18 discussion and possible action on department reports. No action was taken

With no further business needed to be brought before Council, Mayor Sanders moved to item 19 and asked for a motion to adjourn. A motion to adjourn was made by Alderman Whitley. The motion was seconded by Mayor Pro Tem Thompson, all were in favor and the motion carried. The meeting was adjourned at 8:02 p.m.

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**Cheryl Sanders, Mayor**  
**City of Anahuac**

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**Julie Harvill, City Secretary**  
**City of Anahuac**