



CITY COUNCIL AGENDA

Tuesday, September 05, 2023 at 6:00 PM

City Hall – Council Chambers, 200 North Fifth, Crockett, TX 75835

Dr. Ianthia Fisher, Mayor

Dennis Ivey, Council Member
Darrell Jones, Council Member
Ernest Jackson, Council Member
Marquita Beasley, Council Member
Mike Marsh, Mayor Pro Tem

John Angerstein, City Administrator
Mitzi Stefka, City Secretary
William Pemberton, City Attorney
Clayton Smith, Police Chief
Jason Frizzell, Fire Chief

Notice is hereby given of a meeting of the City Council of Crockett to be held on **TUESDAY, SEPTEMBER 5, 2023 at 6:00 PM** at City Hall – Council Chambers, 200 North Fifth, Crockett, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action.

OPEN MEETING WITH INVOCATION AND PLEDGE

RECOGNITION OF VISITORS

COMMENTS FROM AUDIENCE OR COUNCIL *(At this time, anyone will be allowed to speak on City related matters only; no personal matters or matters under litigation will be allowed. The length of time may not exceed three (3) minutes. NO Council discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.)*

APPROVAL OF MINUTES

1. REGULAR MEETING: AUGUST 21, 2023

BUSINESS

2. CONSIDER AND APPROVE AN ORDINANCE OF THE CITY OF CROCKETT, TEXAS AMENDING CHAPTER 10, GARBAGE AND TRASH OF THE CROCKETT CODE; AMENDING SECTION 10-29, RATES, TO CHANGE THE RATES; PROVIDING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE
3. CONSIDER AND APPROVE APPOINTMENT OF REPRESENTATIVE TO SERVE ON BOARD OF DIRECTORS FOR DEEP EAST TEXAS COUNCIL OF GOVERNMENTS
4. AWARD BID: BANK DEPOSITORY SERVICES
5. AWARD BID: GASOLINE & DIESEL FUEL
6. CONSIDER AND APPROVE AN ORDINANCE OF THE CITY OF CROCKETT, TEXAS, AMENDING CHAPTER 13, LICENSED AND BUSINESS REGULATIONS, ARTICLE I, SECTION 13-1 OF THE CROCKETT CODE TO PROVIDE EXTENDED HOURS FOR THE SALE OF MIXED BEVERAGES AND MALT BEVERAGES FOR ON-PREMISES CONSUMPTION; PROVIDING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE
7. CONSIDER AND APPROVE AN ORDINANCE OF THE CITY OF CROCKETT, TEXAS, AMENDING CHAPTER 13, LICENSES AND BUSINESS REGULATIONS, ARTICLE I, OF THE CROCKETT CODE TO ADD SECTION 13-2 TO PROVIDE EXTENDED HOURS FOR PRIVATE CLUBS FOR THE ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES; PROVIDING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE
8. CONSIDER AND APPROVE RESOLUTION FOR AMENDMENTS TO FISCAL YEAR 2023 CROCKETT ECONOMIC & INDUSTRIAL DEVELOPMENT CORPORATION BUDGET

9. CONSIDER AND APPROVE 2023-2024 FISCAL YEAR BUDGET FOR THE CROCKETT ECONOMIC & INDUSTRIAL DEVELOPMENT CORPORATION
10. CONSIDER AND APPROVE PAYMENT OF INVOICES FROM CROCKETT ECONOMIC AND INDUSTRIAL DEVELOPMENT CORPORATION
11. DISCUSSION REGARDING FIRE ENGINE AND LADDER TRUCK AND AUTHORIZING FIRE CHIEF TO SEEK PROPOSALS
12. DISCUSSION REGARDING POLICE VEHICLE FLEET AND AUTHORIZING POLICE CHIEF TO SEEK PROPOSALS
13. DISCUSSION AND APPROVAL OF EXTENSION AND INSTALLATION OF WATER AND SEWER LINES FOR RESIDENTIAL SUBDIVISION

EXECUTIVE SESSION

RECONVENE INTO REGULAR SESSION AND CONSIDER ACTION, IF ANY, ON EXECUTIVE ITEMS

ADJOURNMENT

In compliance with the Americans with Disabilities Act, the City of Crockett will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact Mitzi Stefka, City Secretary, at 936-544-5156.

CERTIFICATION

I certify that a copy of the September 5, 2023 agenda of items to be considered by the Crockett City Council was posted for viewing at Crockett City Hall on August 31, 2023 at 5:30 PM.

Mitzi Stefka, City Secretary

I certify that the agenda items to be considered by the City Council was removed from the City Hall window on the ____ day of _____, 2023. _____ Title _____

MINUTES OF THE CROCKETT CITY COUNCIL MEETING HELD ON THE 21st DAY OF AUGUST 2023 IN THE CITY HALL COUNCIL CHAMBERS, LOCATED AT 200 NORTH FIFTH IN THE CITY OF CROCKETT, HOUSTON COUNTY TEXAS AT 6:00 P.M.

THE COUNCIL MET IN REGULAR SESSION WITH THE FOLLOWING MEMBERS PRESENT: IANTHIA FISHER, DENNIS IVEY, DARRELL JONES, ERNEST JACKSON, MARQUITA BEASLEY & MIKE MARSH. CITY OFFICIALS PRESENT: CITY ADMINISTRATOR JOHN ANGERSTEIN, CITY SECRETARY MITZI STEFKA, POLICE CHIEF CLAYTON SMITH, AND FIRE CHIEF JASON FRIZZELL.

OPEN MEETING WITH INVOCATION AND PLEDGE

Mayor Fisher called the formal session open. Council member Jackson gave the invocation, and all joined in the pledge.

RECOGNITION OF VISITORS

Mayor Fisher recognized all visitors present.

COMMENTS FROM AUDIENCE OR COUNCIL *(At this time, anyone will be allowed to speak on City related matters only; no personnel matters or matters under litigation will be allowed. The length of time may not exceed three minutes. NO Council discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.)*

- Rev. Harry Fred Scott – Respect one another
- Natrenia Hicks – Concerns about Item #10 - CEIDC board members have not had a meeting since suspension; board members are being denied rights to legal counsel according to the bylaws and being retaliated against because of a letter sent to the city attorney.
- Joe Don James – Concerns about ten-year tax abatements
- Council Member Darrell Jones – A few weeks ago two of my family members' houses burned down, in talking to the Fire Chief, he said there was not enough manpower for both fires and then just earlier, my sister's house caught fire and luckily there was enough manpower. The council needs to work on the fire department; next time it could be one of your houses. Councilman Jones then stated that Mr. Bowlin was correct in stating that city council cannot do anything with the Economic Development according to bylaws. Council has been misguided, there is a 75-page lawsuit at the courthouse filed against the city right now. The very things council is trying to do right now will come back to haunt you; I am for what's right so I will not vote for anything tonight that has to do with it. Mr. Jones continued "Mayor, John, Mr. Marsh and Mr. Gene, you are listed in the lawsuit, why are council members listed in a lawsuit? Mr. Ivey, allegedly there is a lawsuit fixing to be filed against you." As council members, let's do the right thing.

1. SPECIAL SESSION: JULY 17, 2023 AND REGULAR SESSION: AUGUST 7, 2023

Mayor Pro Tem Marsh made a motion to approve the minutes of the July 17, 2023 Special session and August 7, 2023 Regular session. Council member Jackson seconded the motion. Motion passes 5-0.

2. U.S. ECONOMIC DEVELOPMENT ADMINISTRATION DISASTER SUPPLEMENTAL GRANT PROJECT

Mr. Angerstein presented an update to the EDA grant project in Southwest Crockett and explained the causes & solutions to the sulphate issues affecting S. 5th Street. Completion of repairs on S. 5th Street is expected to take at least six more months.

3. POLICE DEPARTMENT MANPOWER & CRIMINAL INCIDENT REPORT FOR JULY 2023

Chief Smith reported for the month of July 2023: 15 total manpower, 2,795 total manpower hours, 450 total calls and 5 total accidents. A breakdown of the criminal reports is included in the packet.

4. FIRE DEPARTMENT MONTHLY ACTIVITY & STATUS REPORT FOR JULY 2023

Fire Chief Frizzell reported for the month of July 2023 the following: 39 total calls. A breakdown is included in the packet. Chief Frizzell and council discussed the manpower issues with the department.

5. PUBLIC HEARING ON PROPOSED BUDGET OF THE CITY OF CROCKETT FOR THE 2023-2024 FISCAL YEAR

Mayor Fisher opened the public hearing. Mr. Angerstein informed the council that the proposed budget had been made available to the public at city hall and on our website with no comments being made. With no comments from the audience, Mayor Fisher closed the public hearing.

6. CONSIDER AND APPROVE AN ORDINANCE MAKING APPROPRIATION FOR THE SUPPORT OF THE CITY OF CROCKETT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023 AND ENDING SEPTEMBER 30, 2024; APPROPRIATING MONEY TO SINKING FUND TO PAY INTEREST AND PRINCIPAL DUE ON THE CITY'S INDEBTEDNESS; AND ADOPTING THE ANNUAL BUDGET OF THE CITY OF CROCKETT FOR FISCAL YEAR 2024

Mayor Pro Tem Marsh made a motion to approve an Ordinance making appropriation for the support of the City of Crockett for the fiscal year beginning October 1, 2023 and ending September 30, 2024; appropriating money to sinking fund to pay interest and principal due on the city's indebtedness; and adopting the annual budget of the City of Crockett for fiscal year 2024. Council member Jackson seconded the motion. Motion passes 5-0.

7. PUBLIC HEARING ON 2023 TAX RATE

Mayor Fisher opened the public hearing. Mr. Angerstein explained that the proposed budget is based on keeping our existing tax rate of \$.6813/\$100 and would bring in an additional \$51,000 over last year due to an increase in taxable property values. There were no objections from the public and Mayor Fisher closed the public hearing.

8. CONSIDER AND APPROVE AN ORDINANCE LEVYING AD VALOREM TAXES FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF CROCKETT FOR FISCAL YEAR 2024; PROVIDING FOR APPORTIONING EACH LEVY FOR SPECIFIC PURPOSES; AND PROVIDING WHEN TAXES SHALL BECOME DUE AND WHEN SAME BECOME DELINQUENT IF NOT PAID

Council member Beasley made a motion to approve an ordinance levying ad valorem taxes for use and support of the municipal government of the City of Crockett for fiscal year 2024; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same become delinquent if not paid. Mayor Pro Tem Marsh seconded the motion. Motion passes 5-0.

9. CONSIDER AND APPROVE 2023 TAX ROLL

Mayor Pro Tem Marsh made a motion to approve the 2023 Tax Roll. Council member Jones seconded the motion. Motion passes 5-0.

10. CONSIDER AND APPROVE REMOVING ONE OR MORE MEMBERS OF THE CROCKETT ECONOMIC & INDUSTRIAL DEVELOPMENT CORPORATION BOARD OF DIRECTORS

Mayor Fisher explained that three members of the CEIDC Board of Directors signed a letter addressed to the City of Crockett, which constitutes an illegal meeting under the Texas Open Meetings Act. Mr. Jones stated, "Mayor, it was my understanding there was no meeting. I think one of the members went to them individually. It is in the bylaws that they can have an attorney, but the council is ignoring it." The mayor indicated this action was not related to the bylaws, but to the violation of the Texas Open Meetings Act. Producing a document signed by a quorum of the CEIDC board outside of a stated public meeting is a violation of the Act. Also, the CEIDC board members were suspended from taking any actions during the suspension. Council member Jones stated that if you don't follow what the bylaws say then you're breaking that. Council member Ivey stated to clarify, this is a violation of the Open Meetings Act and would trump anything else. Council member Jackson stated that the board was suspended and was not to act in any matter. A document was generated and three of the members signed the document. There were to be no activities. Mayor Pro Tem Marsh made a motion to remove the three (3) CEIDC board members who signed a document in violation of the Texas Open Meetings Act. {Robert Thompson, Natrenia Hicks, and Elizabeth Guzman.} Council member Jackson seconded the motion. Motion passes 3-2. Council members Jones and Beasley voted against the motion. Mayor Fisher stated a notification would be sent to the three members.

11. CONSIDER AND APPROVE AWARDED BID FOR PAINTING CIVIC CENTER AWNING, AG ARENA AWNING AND PARK PAVILION

Mr. Angerstein explained that the city received two (2) responses to the request for proposals to repaint the awnings of the civic center and ag arena and the park pavilion.

- Shoemake Welding
 - Civic Center Awning - \$24,500
 - Ag Arena Awning - \$22,500
 - Park Pavilion - \$38,000
 - Total - \$85,000

- Lucas Roofing
 - Civic Center Awning - \$6,980
 - Ag Arena Awning - \$16,582
 - Park Pavilion - \$54,298
 - Total - \$77,860

Council member Beasley made a motion to award the bid for painting the civic center awning, ag arena awning and park pavilion to Lucas Roofing. Mayor Pro Tem Marsh seconded the motion. Motion passes 5-0.

12. CONSIDER AND APPROVE MEMBERS TO THE KEEP CROCKETT BEAUTIFUL COMMITTEE

Scott Sheley presented four (4) potential members to council for approval to the Keep Crockett Beautiful Committee. {Joni Clonts, Corey Simon, Jr, Victoria Medel and Joseph Tuggle.} Council member Beasley made a motion to approve the members to the Keep Crockett Beautiful Committee. Council member Jones seconded the motion. Motion passes 5-0.

13. PUBLIC HEARING ON REDESIGNATING THE CROCKETT ENTERPRISE ZONE, PURSUANT TO CHAPTER 2303 OF THE TEXAS GOVERNMENT CODE

Mayor Fisher opened the public hearing. Mr. Angerstein explained that with each ten-year federal census, cities receive new demographic data and can designate enterprise zones to allow greater access to state funds for incentives and abatements for businesses in low/moderate income areas. Enterprise zones are necessary for cities to move ahead with incentive and/or abatement agreements with new businesses. With no objections from the audience, Mayor Fisher closed the public hearing.

14. CONSIDER AND APPROVE AN ORDINANCE OF THE CITY OF CROCKETT, TEXAS NOMINATING AN AREA OF THE CITY OF CROCKETT PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT (TEXAS GOVERNMENT CODE, CHAPTER 2303); PROVIDING TAX INCENTIVES; DESIGNATING AN AUTHORIZED REPRESENTATIVE TO ACT IN ALL MATTERS PERTAINING TO THE NOMINATION AND DESIGNATION OF THE AREA DESCRIBED HEREIN AS AN ENTERPRISE ZONE; AND FURTHER DESIGNATING A LIAISON TO ACT ON ALL MATTERS PERTAINING TO THE ENTERPRISE ZONE ACT ONCE DESIGNATED BY THE TEXAS DEPARTMENT OF ECONOMIC DEVELOPMENT

Mayor Pro Tem Marsh made a motion to approve an ordinance of the City of Crockett, Texas nominating an area of the City of Crockett pursuant to the Texas Enterprise Zone Act (Texas Government Code, Chapter 2303); providing tax incentives; designating an authorized representative to act in all matters pertaining to the nomination and designation of the area described herein as an enterprise zone; and further designating a liaison to act on all matters pertaining to the Enterprise Zone Act once designated by the Texas Department of Economic Development. Council member Jackson seconded the motion. Motion passes 5-0.

15. PUBLIC HEARING ON DESIGNATING A REINVESTMENT ZONE, DESIGNATED AS REINVESTMENT ZONE NUMBER ONE OF THE CITY OF CROCKETT, TEXAS, PURSUANT TO THE TAX INCREMENT FINANCING ACT, CHAPTER 311 OF THE TEXAS TAX CODE

Mayor Fisher opened the public hearing. Mr. Angerstein explained that in the Texas Tax Increment Financing Act, a city must designate a reinvestment zone to provide cash incentives within a performance agreement with businesses. It also allows businesses to receive rebates on sales taxes paid to the state. With no objections from the audience, Mayor Fisher closed the public hearing.

16. CONSIDER AND APPROVE AN ORDINANCE OF THE CITY OF CROCKETT, TEXAS NOMINATING AN AREA OF THE CITY OF CROCKETT AS A REINVESTMENT ZONE PURSUANT TO THE TEXAS TAX INCREMENT FINANCING ACT (TEXAS TAX CODE, CHAPTER 311); NAMING THE ZONE; DESIGNATING THE AREA DESCRIBED HEREIN AS A REINVESTMENT ZONE; CREATING A BOARD OF DIRECTORS OF THE ZONE; SPECIFYING THE NUMBER OF DIRECTORS OF THE BOARD; PROVIDING THAT THE ZONE TAKES EFFECT IMMEDIATELY ON PASSAGE OF THIS ORDINANCE; PROVIDING A DATE FOR TERMINATION OF THE ZONE; ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; FINDING THAT IMPROVEMENTS IN THE ZONE WILL SIGNIFICANTLY ENHANCE THE VALUE OF REAL PROPERTY IN THE ZONE, THAT THE ZONE WILL BE OF GENERAL BENEFIT TO THE CITY AND THAT THE ZONE MEETS THE REQUIREMENTS OF SECTION 311.005 OF THE TEXAS TAX CODE

Council member Jones made a motion to approve an ordinance of the City of Crockett, Texas nominating an area of the City of Crockett as a reinvestment zone pursuant to the Texas Tax Increment Financing Act (Texas Tax Code, Chapter 311); naming the zone; designating the area described herein as a reinvestment zone; creating a board of directors of the zone; specifying the number of directors of the board; providing that the zone takes effect immediately on passage of this ordinance; providing a date for termination of the zone; establishing a tax increment fund for the zone; finding that improvements in the zone will significantly enhance the value of real property in the zone, that the zone will be of general benefit to the city and that the zone meets the requirements of Section 311.005 of the Texas Tax Code. Council member Beasley seconded the motion. Motion passes 5-0.

ADJOURNMENT

Without objection, Mayor Fisher adjourned the meeting at 7:41 P.M.

Dr. Ianthia Fisher, Mayor

ATTEST:

Mitzi Stefka, City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CROCKETT, TEXAS AMENDING CHAPTER 10, GARBAGE AND TRASH OF THE CROCKETT CODE; AMENDING SECTION 10-29, RATES, TO CHANGE THE RATES; PROVIDING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

THE COUNCIL OF THE CITY OF CROCKETT, TEXAS HEREBY ORDAINS:

SECTION I:

Section 10-29 of the Crockett Code is hereby amended to read as follows:

Section 10-29. Rates.

The rates charged for collecting solid waste in the City shall be as follows:

RESIDENTIAL TRASH RATES

Collection of Trash with 95 Gallon Cart

One time per week, at \$22.01 per home (unit) per month.

Each additional cart for one time per week collection, at \$5.87 per home (unit) per month.

Pick up of vegetative debris with a crew (includes limbs, leaves, etc.), at \$27.30 per yard. * **

*Must call the private contractor at (800) 324-2092 an schedule pickup time before placing outside.

**Must be occasional and not a regular occurrence.

Up to two (2) large bulky items (such as furniture, mattress) or three (3) thirty (30) gallon bags picked up at curbside each week for all regular customers at no additional cost.

*Must call the private contractor at (800) 324-2092 an schedule pickup time before placing outside. * **

**Must be occasional and not a regular occurrence.

COMMERCIAL FEES

Commercial Hand Collection two Times Per Week With a 95 Gallon Cart, at \$31.66 monthly.

Bin Size Frequency Per Week

<u>Cubic</u> <u>Yard</u>	<u>Monthly Rates</u>				
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
2	\$73.15	\$125.56	\$181.24	\$239.10	\$286.05
4	\$122.28	\$223.82	\$326.45	\$435.63	\$530.61
6	\$177.96	\$312.25	\$457.46	\$604.86	\$746.79
8	\$223.82	\$448.73	\$676.92	\$898.55	\$1123.46

8/Cardboard dumpster, \$38.21

* Cardboard is dependent upon having a legitimate recycle facility within 50 miles

City carts and/or commercial rear load containers will be free of charge.

Dumpster lock service fee is \$11.02 per month.

Set of casters is \$0 per month.

Opening and closing of enclosures is \$0 per month.

COMMERCIAL CARDBOARD

\$33.21 per month per business.

Commercial cardboard will be picked up by the private contractor once per week and delivered to a recycle facility within fifty (50) miles, if available.

COMMERCIAL DUMPSTERS

Bin Size Frequency Per Week

<u>Cubic</u> <u>Yard</u>	<u>Monthly Rates</u>				
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
2	\$73.15	\$125.56	\$181.24	\$239.10	\$286.05
4	\$122.28	\$223.82	\$326.45	\$435.63	\$530.61
6	\$177.96	\$312.25	\$457.46	\$604.86	\$746.79
8	\$223.82	\$448.73	\$676.92	\$898.55	\$1123.46

8/Cardboard dumpster, \$38.21

SECTION II: Severability.

The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION III. Repealing Clause

All Ordinances, or parts of Ordinances, inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

PASSED AND ADOPTED this _____ day of _____, 2023 at a regular meeting of the City Council of the City of Crockett, Texas, and effective October 1, 2023.

CITY OF CROCKETT

BY: _____
DR. IANTHIA FISHER, MAYOR

ATTEST:

MITZI STEFKA, CITY SECRETARY

APPROVED:



WILLIAM R. PEMBERTON,
CITY ATTORNEY



August 30, 2023

Letter of Recommendation

Dear Mayor and Councilmembers:

Sealed proposal packets were received and opened for the Bank Depository Services for the City on August 21, 2023 at 4:00 P.M. Only one (1) sealed bid was received; Prosperity Bank.

Prosperity Bank, as our current depository, is fully qualified to provide banking services to the City for a contract period of four (4) years beginning September 1, 2023 through August 31, 2027.

Services will be in accordance with the Bank Depository Contract and supplemental agreements executed between the City and the Bank.

The notification and advertising process for this bid included advertising in the local newspaper and posting on the City's website at <https://crockettexas.org/bids/>.

Sincerely,

John Angerstein,

City Administrator





August 30, 2023

Letter of Recommendation

Dear Mayor and Councilmembers:

Sealed bid packets were received on August 28, 2023 for gasoline and diesel fuel for the City and opened on August 29, 2023 at 9:00 A.M. at Crockett City Hall. Two (2) sealed bids were received.

Sun Coast Resources and Crockett Farm & Fuel

The notification and advertising process for this bid included advertising in the local newspaper and posting on the City's website at <https://crocketttx.org/bids/>.

The bids were reviewed and the recommendation of award is to continue purchasing from Crockett Farm & Fuel.

Sincerely,

John Angerstein,
City Administrator



CITY OF CROCKETT
 BID TALLY SHEET

- CONTRACT
- Sealed Bid
 - Telephone Bid
 - Letter Bid

BID DESCRIPTION: 2023 Fuel Services Bid

BID OPENING DATE/TIME: August 29, 2023 at 8:00 AM

VENDOR/BIDDER	BASE BID	TOTAL BID	COMMENTS
Crockett Farm Fuel			
Reg Unloaded	Reg Avg	+ \$0.40	
Ethanol Free	" "	+ \$0.40	
Off Road Diesel	" "	+ \$0.80	
ON Road Diesel	" "	+ \$0.40	
Sun Coast Resources			
Reg. Unloaded	Reg Avg	+ \$0.0773	
Ethanol Free	Reg Avg	No Bid	
Off Road Diesel	" "	+ \$0.11	
On Road Diesel	" "	+ \$0.11	

Bid Opener Name and Signature _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CROCKETT, TEXAS, AMENDING CHAPTER 13, LICENSES AND BUSINESS REGULATIONS, ARTICLE I, SECTION 13-1 OF THE CROCKETT CODE TO PROVIDE EXTENDED HOURS FOR THE SALE OF MIXED BEVERAGES AND MALT BEVERAGES FOR ON-PREMISES CONSUMPTION; PROVIDING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

THE COUNCIL OF THE CITY OF CROCKETT, TEXAS HEREBY ORDAINS:

Section I:

Section 13-1 of the Crockett Code is hereby amended to read as follows:

Section 13-1. Establishments in Which Alcoholic Beverages are sold.

A. Definitions.

(1) In this section "establishment" means any privately owned place of business operating for profit to which the public is invited in which alcoholic beverages are sold or have been sold within the past twenty-four (24) hours, including, but not limited to, any place of amusement or entertainment, including dance halls and music venues.

(2) In this section "malt beverages" mean a fermented beverage of any name or description containing one-half of one percent or more of alcohol by volume, brewed or produced from malt, in whole or in part, or from any malt substitute.

(3) In this section "mixed beverages" means one or more servings of a beverage composed in whole or part of an alcoholic beverage in a sealed or unsealed container of any legal size for consumption on the premises where served or sold by the holder of a mixed beverage permit, the holder of a private club registration permit, or the holder of certain retailer late hours certificates.

(4) In this section "hotel" means the premises of an establishment:

(A) where, in consideration of payment, travelers are furnished food and lodging;

(B) in which are located:

(I) at least 10 adequately furnished completely separate rooms with adequate facilities so comfortably disposed that persons usually apply for and receive overnight accommodations in the establishment, either in the course of

usual and regular travel or as a residence; or

(ii) at least five rooms described by Subparagraph (i) if the building being used as a hotel is a historic structure as defined by Section 442.001, Texas Government Code; and

(C) which operates a regular dining room constantly frequented by customers each day.

(5) In this section "hotel bar" means an establishment that is located in a hotel and holds a permit or license providing for the on-premises consumption of alcoholic beverages.

B. Hours of Sale of Mixed Beverages.

(1) A mixed beverage permittee may sell and offer for sale mixed beverages between 7:00 a.m. and midnight on any day except Sunday. On Sunday, a mixed beverage permittee may sell mixed beverages between midnight and 1:00 a.m. and between 10:00 a.m. and midnight, except that an alcoholic beverage served to a customer between 10:00 a.m. and 12:00 noon on Sunday must be provided during the service of food to the customer.

(2) The holder of a mixed beverage permit who holds a retailer late hours certificate may also sell and offer to sell mixed beverages between midnight and 2:00 a.m. on any day.

C. Hours of Sale for Malt Beverages.

(1) The holder of a retail dealer's on-premise license may sell and offer to sell malt beverages for on-premise consumption between 7:00 a.m. and midnight on any day except Sunday. On Sunday, the holder of a retail dealer on-premise license may sell malt beverages between midnight and 1:00 a.m. and between noon and midnight, except that:

(A) permittees or licensees authorized to sell for on-premises consumption may sell malt beverages between 10:00 a.m. and noon, if the malt beverages are served to a customer during the service of food to the customer, and

(B) holders of a retail dealer's on-premise license may also sell malt beverages for off-premise consumption between 10:00 a.m. and noon.

(2) The holder of a malt beverage permit who holds a retailer late hours certificate may also sell and offer to sell malt beverages between midnight and 2:00 a.m. on any day.

D. Exception for Hotel Bars.

A hotel bar may sell or offer for sale alcoholic beverages at any time to a registered guest of the hotel.

SECTION II: Penalty for Violation

A. Fine

Any person violating the provisions of this section is guilty of a Class C misdemeanor and upon conviction, shall be fined not more than allowed by law.

B. Injunctive Relief

In addition, or as alternative thereto, the City may, in the event of such violation, obtain injunctive relief in an appropriate court with jurisdiction in Houston County, Texas.

SECTION III: Severability.

The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION IV: Repealing Clause

All Ordinances, or parts of Ordinances, inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION V: Effective Date.

A descriptive caption of this Ordinance shall be published two (2) times in the Grapeland Messenger, the official newspaper of the City of Crockett, within fourteen (14) days after the date of passage thereof, and said Ordinance shall become effective _____, 2023.

PASSED AND ADOPTED, at a regular meeting of the City Council of the City of Crockett, Texas, on the _____ day of _____, 2023.

CITY OF CROCKETT

BY: DR. IANTHIA FISHER, MAYOR

ATTEST:

MITZI STEFKA, CITY SECRETARY


WILLIAM R. PEMBERTON,
CITY ATTORNEY

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CROCKETT, TEXAS, AMENDING CHAPTER 13, LICENSES AND BUSINESS REGULATIONS, ARTICLE I, OF THE CROCKETT CODE TO ADD SECTION 13-2 TO PROVIDE EXTENDED HOURS FOR PRIVATE CLUBS FOR THE ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES; PROVIDING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

THE COUNCIL OF THE CITY OF CROCKETT, TEXAS HEREBY ORDAINS:

Section I:

Section 13-2 of the Crockett Code is hereby added to read as follows:

Section 13-2. Private Clubs in Which Alcoholic Beverages are Consumed.

A. Definitions.

(1) In this section "private club" means any organization which holds a private club registration permit.

(2) In this section "alcoholic beverage" means alcohol or any beverage containing more than one-half of one percent of alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted.

B. Hours of Consumption of Mixed Beverages.

A private club may permit consumption of alcoholic beverages between 7:00 a.m. and 2:00 a.m. on any day.

SECTION II: Penalty for Violation

A. Fine

Any person violating the provisions of this section is guilty of a Class C misdemeanor and upon conviction, shall be fined not more than allowed by law.

B. Injunctive Relief

In addition, or as alternative thereto, the City may, in the event of such violation, obtain injunctive relief in an appropriate court with jurisdiction in Houston County, Texas.

SECTION III: Severability.

The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional,

such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION IV: Repealing Clause

All Ordinances, or parts of Ordinances, inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION V: Effective Date.

A descriptive caption of this Ordinance shall be published two (2) times in the Grapeland Messenger, the official newspaper of the City of Crockett, within fourteen (14) days after the date of passage thereof, and said Ordinance shall become effective _____, 2023.

PASSED AND ADOPTED, at a regular meeting of the City Council of the City of Crockett, Texas, on the _____ day of _____, 2023.

CITY OF CROCKETT

BY: _____
DR. IANTHIA FISHER, MAYOR

ATTEST:

MITZI STEFKA, CITY SECRETARY



WILLIAM R. PEMBERTON,
CITY ATTORNEY

**RESOLUTION OF THE
CROCKETT ECONOMIC AND INDUSTRIAL DEVELOPMENT CORPORATION
SEPTEMBER 5, 2023**

WHEREAS, the Crockett Economic and Industrial Development Corporation has experienced expenditures and revenue that deferred from the originally adopted budget during its FY 2023 budget year; and

NOW THEREFORE, BE IT RESOLVED by the Crockett Economic and Industrial Development Corporation’s Board of Directors that the FY 2023 Budget be amended in the following manner:

FY 2023 AMENDMENT ONE

EXPENDITURES

<u>LINE ITEM</u>	<u>2023 BUDGET</u>	<u>2023 AMENDED</u>
500 · Miscellaneous Income	1,200.00	1,200.00
501 · Residual Funds	187,528.00	187,528.00
502 · Sales Tax Receipts	665,000.00	665,000.00
503 · Rent Income	0.00	6,000.00
Total Revenue Budget	853,728.00	859,728.00
	Total Change	+6,000.00

EXPENDITURES

<u>LINE ITEM</u>	<u>2023 BUDGET</u>	<u>2023 AMENDED</u>
607 · Repairs and Maintenance	10,000.00	12,000.00
608 · Legal	15,000.00	75,000.00
611 · Insurance/Bonds	12,000.00	12,500.00
613 · Benefits	32,000.00	47,435.00
616 · Payroll Taxes	12,000.00	15,995.00
617 · Utilities	4,000.00	25,593.00
618 · Depreciation	0.00	133,500.00
706 · Prosperity Bank Note	182,400.00	0.00
Total Expense Budget	726,177.56	780,800.56
	Total Change	+54,623.00

ADOPTED at a regular meeting of the Crockett Economic and Industrial Development Corporation on the 5th day of September, 2023.

Item 8.

President

ATTEST:

Secretary

Fiscal Year 2024 Proposal and Budget Recap

Ordinary Income/Expenses	Budget 10/18-09/19 Actual	Budget 10/19-09/20 Actual	Budget 10/20-09/21 Actual	Budget 10/21-09/22 Actual	Budget 10/22-09/23 Budgeted	Budget 10/23-09/24 Proposed	Prior Year Difference	5 Year Average
Income								
500 Misc. Income	\$ 66,457.00	\$ 31,562.00	\$ 6,944.00	\$ -	\$ 1,200.00	\$ 1,200.00		
501 Residual Funds	\$ -	\$ -	\$ -	\$ -	\$ 187,528.00	\$ 300,000.00	\$ 112,472.00	\$ 37,505.60
502 Sales Tax	\$ 840,724.00	\$ 568,264.00	\$ 633,090.00	\$ 659,514.59	\$ 665,000.00	\$ 700,000.00	\$ 35,000.00	\$ 673,318.52
503 Rent Income	\$ -	\$ -	\$ -	\$ 7,026.91	\$ -	\$ 4,800.00		
Total Income	\$ 907,181.00	\$ 599,826.00	\$ 640,034.00	\$ 666,541.50	\$ 853,728.00	\$ 1,006,000.00	\$ 152,272.00	\$ 733,462.10
Expenses								
600 Accounting	\$ 5,500.00	\$ 5,500.00	\$ 5,500.00	\$ 1,650.00	\$ 12,000.00	\$ 6,000.00	\$ (6,000.00)	\$ 6,030.00
601 Supplies	\$ 1,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,414.21	\$ 4,000.00	\$ 4,000.00	\$ -	\$ 3,182.84
602 Communications	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 175.90	\$ 4,000.00	\$ 4,000.00	\$ -	\$ 3,235.18
603 Professional Services	\$ 16,005.00	\$ 10,246.00	\$ 16,666.00	\$ 12,792.22	\$ 20,000.00	\$ 20,000.00	\$ -	\$ 15,141.84
604 Dues/Sub/Printing	\$ 26,431.00	\$ 24,972.00	\$ 20,611.00	\$ 16,799.08	\$ 20,000.00	\$ 20,000.00	\$ -	\$ 21,762.62
605 Travel/Training	\$ 11,030.00	\$ 19,366.00	\$ 11,658.00	\$ 9,338.59	\$ 30,000.00	\$ 10,000.00	\$ (20,000.00)	\$ 16,278.52
606 Equipment (Purchase)	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 8,695.00	\$ 2,500.00	\$ 2,500.00	\$ -	\$ 3,739.00
607 Repairs and Maintenance	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 13,406.09	\$ 12,000.00	\$ 10,000.00	\$ (2,000.00)	\$ 6,281.22
608 Legal	\$ 12,000.00	\$ 12,000.00	\$ 12,000.00	\$ 10,207.22	\$ 75,000.00	\$ 15,000.00	\$ (60,000.00)	\$ 24,241.44
609 Miscellaneous Contingency	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00	\$ 1,356.21	\$ 1,200.00	\$ 358,762.00	\$ 357,562.00	\$ 1,231.24
610 Postage	\$ 300.00	\$ 350.00	\$ 350.00	\$ 420.66	\$ 350.00	\$ 350.00	\$ -	\$ 354.13
611 Insurance/Bonds	\$ 5,258.00	\$ 8,526.00	\$ 8,763.92	\$ 9,397.05	\$ 12,500.00	\$ 13,000.00	\$ 500.00	\$ 8,888.99
612 Auto Allowance/Van	\$ 8,400.00	\$ 8,400.00	\$ 8,400.00	\$ 802.35	\$ 8,400.00	\$ 1,200.00	\$ (7,200.00)	\$ 6,880.47
613 Personnel Benefits	\$ 26,000.00	\$ 26,000.00	\$ 26,000.00	\$ 41,505.12	\$ 47,435.00	\$ 51,232.00	\$ 3,797.00	\$ 33,388.02
614 Meals and Public Relations	\$ 5,597.00	\$ 6,398.00	\$ 2,756.00	\$ 1,132.89	\$ 7,000.00	\$ 5,000.00	\$ (2,000.00)	\$ 4,576.78
615 Salaries	\$ 110,746.00	\$ 111,994.00	\$ 122,362.00	\$ 142,335.57	\$ 148,627.56	\$ 138,933.00	\$ (9,694.56)	\$ 127,213.03
616 Payroll Taxes	\$ 12,000.00	\$ 12,000.00	\$ 12,000.00	\$ 12,437.46	\$ 15,995.00	\$ 12,223.00	\$ (3,772.00)	\$ 12,886.49
617 Utilities	\$ 3,500.00	\$ 4,000.00	\$ 4,000.00	\$ 9,341.59	\$ 25,593.00	\$ 4,000.00	\$ (21,593.00)	\$ 9,286.92
700 Promotional Ad.	\$ 4,925.00	\$ 22,430.00	\$ 46,130.00	\$ 4,926.48	\$ 12,000.00	\$ 12,000.00	\$ -	\$ 18,082.30
701 Ind. Park/Rail Spur/Westbrook	\$ 16,000.00	\$ 29,000.00	\$ 35,000.00	\$ 18,713.92	\$ 35,000.00	\$ 20,000.00	\$ (15,000.00)	\$ 26,742.78
704 Consultant Services	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 5,990.83	\$ 2,500.00	\$ 5,000.00	\$ 2,500.00	\$ 3,198.17
705 Prospect Incentives	\$ 126,457.00	\$ 100,831.00	\$ 355,588.00	\$ 33,877.94	\$ -	\$ 141,600.00	\$ 141,600.00	\$ 123,350.79
706 Draw Note (State School Loan)	\$ 182,400.00	\$ 182,400.00	\$ 182,400.00	\$ 400,717.18	\$ -	\$ -	\$ -	\$ 189,583.44
708 USDA Loan	\$ 151,200.00	\$ 151,200.00	\$ 151,200.00	\$ 151,200.00	\$ 151,200.00	\$ 151,200.00	\$ -	\$ 151,200.00
Total Expenses	\$ 737,449.00	\$ 751,313.00	\$ 1,037,084.92	\$ 910,633.56	\$ 647,300.56	\$ 1,006,000.00	\$ 358,699.44	\$ 816,756.21
NET Revenue (Loss)	\$ 169,732.00	\$ (151,487.00)	\$ (397,050.92)	\$ (244,092.06)	\$ 206,427.44	\$ -	\$ (206,427.44)	\$ (83,294.11)