

STATE OF TEXAS §
COUNTY OF POLK §
CITY OF LIVINGSTON §

MINUTES
REGULAR MEETING &
PUBLIC HEARING
CITY COUNCIL
SEPTEMBER 12, 2023
5:00 P.M.

The City Council of the City of Livingston, Texas convened in regular session in Council Chambers at City Hall at 5:00 P.M., September 12, 2023, with the following members present:

Judy B. Cochran	)	Mayor
Alan Cook	)	Councilmembers
Raymond Luna)	
Elgin Davis)	
Bobby Jackson, Sr.)	
Billy S. Wiggins	)	City Manager
Ellie Monteaux	)	City Secretary/Assistant City Manager
James Wright	)	City Attorney

and the following others present:

Ricky Taylor	)	Texan EMS
Josh Mohler	)	Fire Marshal/Code Enforcement Officer
Lt. Marty Drake	)	Livingston Police Department
Emily Wooten	)	Polk County Enterprise

Joshua Grant	)	Self
Linda Berry	)	Self
Johnny Robinson	)	Self
Versie Gardner	)	Self
Mary Gordon	)	Self
Jimmie Taylor	)	Self
Mike Andjelic	)	Self
Karyn Anderson	)	Self
Bo Anderson	)	Self
Thom Bruning	)	Self
Marie Bennett	)	Self
Nisa Henderson	)	Self
Danielle Smith	)	Self
Corey Dickerson	)	Self
Kenneth Darden	)	Self
Eldridge Nickson	)	Self

Mayor Cochran called the meeting to order at 5:00 P.M. Mayor Cochran welcomed guests to the meeting, advised those present to complete a Public Meeting Appearance Form should they wish to address Council concerning a specific agenda item, and reviewed general housekeeping matters related to conduct. Mayor Cochran called on Alderman Cook to open the meeting with prayer and the pledges.

It was moved by Alderman Cook and seconded by Alderman Davis that the minutes of the regular meeting of August 15, 2023 be approved. All present voted aye.

Joshua Grant and Corey Dickerson submitted a Public Meeting Appearance Form prior to the meeting being called to order regarding Agenda Item II - Discussion and Consider Possible Action on Proposed Ordinance Amending Article II of Chapter 40 (Electric Service) of the City of Livingston Code of Ordinances.

Mayor Cochran recognized Joshua Grant who addressed City Council concerning Agenda Item II. Mayor Cochran recognized Corey Dickerson who addressed City Council concerning Agenda Item II.

The City Manager introduced a proposed ordinance amending Article II of Chapter 40 (Electric Service) of the City of Livingston Code of Ordinances. Discussion ensued relative to the comparison of rates with the local electric cooperative and the average rate per kilowatt-hour in Texas. Upon the recommendation of the City Manager, it was moved by Alderman Davis and seconded by Alderman Cook, that the ordinance amending Article II of Chapter 40 (Electric Service) of the City of Livingston Code of Ordinances be approved and adopted as presented, to be effective upon adoption. All present voted aye. The ordinance, as approved, is captioned as follows:

"ORDINANCE NO. A-842

AN ORDINANCE OF THE CITY COUNCIL, CITY OF LIVINGSTON, TEXAS, AMENDING ARTICLE III OF CHAPTER 40 (ELECTRIC SERVICE) OF THE CODE OF ORDINANCES."

Mayor Cochran declared a public hearing in session at 5:16 P.M. on the proposed budget for the fiscal year October 1, 2023 through September 30, 2024. Mayor Cochran asked if any member of the audience would like to comment regarding the proposed budget. No member of the audience responded. The City Manager reviewed the proposed budget for fiscal year October 1, 2023 through September 30, 2024. Mayor Cochran asked again if anyone present would like to comment regarding the proposed budget. No member of the audience responded.

There being no further comments to be received in the Public Hearing, Mayor Cochran closed the Public Hearing at 5:39 P.M.

The City Manager introduced the proposed ordinance adopting the budget for fiscal year October 1, 2023 through September 30, 2024. It was moved by Alderman Cook and seconded by Alderman Luna that the proposed ordinance, as presented, be approved and adopted. All present voted aye.

Mayor Cochran called for a record vote on the proposed ordinance adopting the budget for fiscal year October 1, 2023 through September 30, 2024. The proposed ordinance was adopted by the record vote as follows:

AYES: Alderman Luna
Alderman Davis
Alderman Jackson
Alderman Cook

NOES: None

The ordinance, as approved, is captioned as follows:

"ORDINANCE NO. A-843

AN ORDINANCE ADOPTING A BUDGET FOR THE ENSUING FISCAL YEAR BEGINNING OCTOBER 1, 2023 AND ENDING SEPTEMBER 30, 2024; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH."

(Joshua Grant left the meeting.)

The City Manager presented the proposed budget adjustments to revenues and disbursements for the fiscal year October 1, 2022 through September 30, 2023. It was moved by Alderman Jackson and seconded by Alderman Davis that the budget adjustments for the fiscal year October 1, 2022 through September 30, 2023, as presented, be approved. All present voted aye.

The City Manager introduced a resolution designating the *Polk County Enterprise* as the official newspaper for the City for the fiscal year October 1, 2023 through September 30, 2024. It was moved by Alderman Luna and seconded by Alderman Cook that the resolution, as introduced, be approved and adopted. All present voted aye. The resolution, as approved, is captioned as follows:

"RESOLUTION NO. 615

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIVINGSTON, TEXAS, DESIGNATING AN OFFICIAL NEWSPAPER FOR THE CITY OF LIVINGSTON FOR FISCAL YEAR 2023-2024."

The City Manager introduced a resolution authorizing the submission of the Bullet Resistant Shield Grant application to the Office of the Governor. Livingston Police Department Lt. Marty Drake confirmed that there are no matching funds to be paid by the City for this grant. Upon the recommendation of the City Manager, it was moved by Alderman Luna and seconded by Alderman Jackson that the resolution, as introduced, be approved and adopted. All present voted aye. The resolution, as approved, is captioned as follows:

"RESOLUTION NO. 616

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIVINGSTON, TEXAS, AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR BULLET RESISTANT SHIELD GRANT TO THE OFFICE OF THE GOVERNOR."

The City Manager presented a proposed renewal of the annual agreement with Polk County for firefighting services to be provided by the Livingston Volunteer Fire Department outside the City limits from October 1, 2023 through September 30, 2024, reflecting a funding contribution of \$51,397.19 by the County. It was moved by Alderman Davis and seconded by Alderman Cook that the annual firefighting agreement, including the County's contribution of \$51,397.19, be approved and the Mayor be authorized to execute such agreement. All present voted aye.

The City Manager presented the Accounts Over \$500 for approval. It was moved by Alderman Cook and seconded by Alderman Davis that the accounts over \$500.00, as submitted, be approved for payment. All present voted aye.

The City Manager presented a proposed resolution setting a Public Hearing for October 10, 2023 at 5:00 P.M. to consider the determination of an unsafe and/or dilapidated building located at 1008 Dunbar Avenue and owned by Dunbar Livingston 1008 LLC. It was moved by Alderman Luna and seconded by Alderman Jackson that the resolution, as introduced, be approved and adopted. All present voted aye. The resolution, as approved, is captioned as follows:

"RESOLUTION NO. 617

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIVINGSTON, TEXAS SETTING THE DATE, TIME AND PLACE FOR A PUBLIC HEARING TO CONSIDER THE STRUCTURE

LOCATED AT 1008 DUNBAR AVE. IN THE CITY OF LIVINGSTON AS A DILAPIDATED AND UNSAFE BUILDING AND AS A PUBLIC NUISANCE AND AUTHORIZING AND DIRECTING THE MAYOR TO PUBLISH NOTICE OF SUCH HEARING."

Mayor Cochran set a Public Hearing for October 10, 2023 at 5:00 P.M. regarding the determination of an unsafe and/or dilapidated building located at 1008 Dunbar Avenue and owned by Dunbar Livingston 1008 LLC.

The City Manager presented a proposed resolution setting a Public Hearing for October 10, 2023 at 5:00 P.M. to consider the determination of an unsafe and/or dilapidated manufactured home located at 1931 S. Washington Ave. #51 and owned by Jeff McCullar, Amy McCullar, and Carlos Barron. It was moved by Alderman Jackson and seconded by Alderman Cook that the resolution, as introduced, be approved and adopted. All present voted aye. The resolution, as approved, is captioned as follows:

"RESOLUTION NO. 618

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIVINGSTON, TEXAS SETTING THE DATE, TIME AND PLACE FOR A PUBLIC HEARING TO CONSIDER THE 12 FT. X 53 FT. REDMAN SHERATON MANUFACTURED HOME, SERIAL NO. 7685, LABEL/SEAL NO. TXS0598031, LOCATED AT 1931 S. WASHINGTON AVE. #51 IN THE CITY OF LIVINGSTON AS A DILAPIDATED AND UNSAFE BUILDING AND AS A PUBLIC NUISANCE AND AUTHORIZING AND DIRECTING THE MAYOR TO PUBLISH NOTICE OF SUCH HEARING."

Mayor Cochran set a Public Hearing for October 10, 2023 at 5:00 P.M. regarding the determination of an unsafe and/or dilapidated manufactured home located at 1931 S. Washington Ave. #51 and owned by Jeff McCullar, Amy McCullar, and Carlos Barron.

The City Manager presented a proposed resolution setting a Public Hearing for November 14, 2023 at 5:00 P.M. to receive public comments on a petition to vacate, abandon and close a portion of East Mill Street adjacent to Blocks 38 and 39 or the

original City Townsite from North Houston Avenue eastward to North East Avenue. It was moved by Alderman Cook and seconded by Alderman Jackson that the resolution, as introduced, be approved and adopted. All present voted aye. The resolution, as approved, is captioned as follows:

"RESOLUTION NO. 619

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIVINGSTON, TEXAS SETTING THE DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED CLOSURE, VACATION AND ABANDONMENT OF A PORTION OF EAST MILL STREET AND AUTHORIZING AND DIRECTING THE MAYOR TO PUBLISH NOTICE OF SUCH HEARING."

Mayor Cochran set a Public Hearing for November 14, 2023 at 5:00 P.M. to receive public comments concerning the petition presented to City Council by First United Pentecostal Church of Livingston, Inc. to vacate, abandon and close a portion of East Mill Street between North Houston Avenue eastward to North East Street.

(Josh Mohler retired from the meeting.)

The City Manager reported on the following items:

- A) Sales Tax - The September sales tax report from the State Comptroller for the month July will be available September 15, 2023.
- B) Update of Projects and Development - The City Manager provided an update of current projects and development.
- C) 9/11 Remembrance Ceremony - The 9/11 Remembrance Ceremony was held on Monday, September 11, 2023 and was well attended.

(Joshua Grant returned to the meeting.)

The City Manager report continued with the following items:

- D) County-Wide Burn Ban and Disaster Declaration - Polk County has continued their declaration of local disaster regarding the severe dry weather resulting from the lack of rainfall and the threat of wildfire.
- E) Trinity River Authority - The City has been in contact with TRA and will continue to monitor the lake levels. The City currently has sufficient water storage and water supply. At present, we do not have a need to implement the City's drought contingency plan and will continue to monitor this closely.

F) COVID - With the reported reappearance of COVID cases, the City Manager has advised staff to take necessary precautions.

(All members of the audience retired from the meeting.)

Mayor Cochran called the Council into executive session at 6:02 P.M., pursuant to Texas Government Code Section 551.074 (Personnel - Review of Proposed Salary Schedule for Fiscal Year 10/1/2023 - 9/30/2024) and pursuant to Texas Government Code Section 551.071 (Legal - Consultation with Attorney).

Council reconvened in open session at 6:30 P.M.

Upon reconvening in open session, it was moved by Alderman Luna and seconded by Alderman Davis that the City of Livingston Proposed Salary Schedule for Fiscal Year 10/1/2023 - 9/30/2024 be approved. All present voted aye.

There being no further business to come before the City Council, it was moved by Alderman Cook and seconded by Alderman Jackson that the meeting be adjourned at 6:31 P.M. All present voted aye.

SIGNED:



Judy B. Cochran, Mayor

ATTEST:



Ellie Monteaux, TRMC, MMC, CPM
City Secretary/Assistant City Manager

