**REGULAR MEETING OF THE CITY COUNCIL OF THE**

**CITY OF PORT NECHES**

**4:00 P.M.**

**September 19, 2024**

**MEETING**

The regular meeting was called to order at 4:00 p.m. by Mayor Pro Tem Anders at Port Neches City Hall, 1005 Merriman Street, Port Neches, Texas with the following members in attendance to wit:

Adam Anders, Mayor Pro Tem
Robert Arnold, Councilmember
Jim Wallace, Councilmember
Terry Schwertner, Councilmember
Chris McMahon, Councilmember

Also present:
Andre' Wimer, City Manager
Holly Alexander, City Secretary

Absent:
Glenn Johnson, Mayor

**PLEDGE OF ALLEGIANCE AND INVOCATION**

Mayor Pro Tem Anders led the Pledge of Allegiance and Councilmember McMahon led the invocation.

**APPROVAL OF MINUTES**

Councilmember Arnold made a motion to approve the minutes of the regular meeting held September 5, 2024, seconded by Councilmember Schwertner. **MOTION PASSED BY UNANIMOUS VOTE.**

**PROCLAMATIONS**

There were no proclamations.

**AGENDA ITEM 7 - DISCUSS AND TAKE ACTION REGARDING THE APPROVAL OF A REQUEST FROM TAMMY VANZANDT WITH EXTREME RECREATION, LLC. TO CLOSE PORT NECHES AVENUE FROM NALL STREET TO THE POST OFFICE ENTRANCE ON SATURDAY, FEBRUARY 22, 2025 FROM 10:00 A.M. TO 10:00 P.M. FOR A VENDOR MARKET.**

The City Council was provided correspondence received from Tammy Vanzandt for review. The City Manager stated that Ms. Vanzandt addressed the City Council at the August 8, 2024 meeting

regarding a fund raising event for Extreme Recreation, a non-profit organization and since that time, Ms. Vanzandt has met with City staff and representatives of the Chamber of Commerce. He further stated that it is his understanding that she has also contacted the various businesses located along Port Neches Avenue. Ms. Vanzant was present and confirmed that she had notified all of the businesses and received an overwhelming amount of support. The City Manager explained that the request involves the closure of Port Neches Avenue from the Post Office entrance to Nall Street on Saturday, February 22, 2025 from 10 a.m. to 10 p.m. He noted that there are a variety of scheduled events throughout this time although Ms. Vanzandt has stated that changes are possible as planning is ongoing.

Councilmember Wallace made a motion to approve the closure of Port Neches Avenue on Saturday, February 22, 2025 from 10 a.m. to 10 p.m., seconded by Councilmember McMahon. **MOTION PASSED BY UNANIMOUS VOTE.**

**AGENDA ITEM 8 - DISCUSS AND TAKE ACTION REGARDING THE APPROVAL OF A REQUEST FROM THE PORT NECHES CHAMBER OF COMMERCE TO CLOSE ONE SIDE OF PORT NECHES AVENUE FROM NALL STREET TO THE POST OFFICE ENTRANCE ON SUNDAY, OCTOBER 27, 2024 FROM 5:00 P.M. TO 8:00 P.M. FOR A "CORVETTES, CLASSICS AND CARTS" HALLOWEEN TRUNK OR TREAT ON THE AVENUE EVENT FOLLOWED BY A SHOPPING AND ENTERTAINMENT EVENT.**

The City Council was provided correspondence received from the Port Neches Chamber of Commerce for review. The City Manager stated that the Chamber plans to have an event on Sunday, October 27, 2024, a Trunk or Treat followed by shopping/entertainment. He explained that there is one change in the request from last year and that the Chamber has requested to close the entire street instead of just one side of the street. He noted that this will be the second year of this event which was successful in 2023.

Councilmember Schwertner made a motion to approve the closure of Port Neches Avenue on Sunday, October 27, 2024 from 5:00 p.m. to 8:00 p.m., seconded by Councilmember Wallace. **MOTION PASSED BY UNANIMOUS VOTE.**

**AGENDA ITEM 9 - DISCUSS AND TAKE ACTION REGARDING THE APPROVAL OF A REQUEST FROM THE PORT NECHES CHAMBER OF COMMERCE FOR A TEMPORARY PERMIT IN ACCORDANCE WITH SECTION 6-5 OF THE CITY'S CODE OF ORDINANCES TO ALLOW FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES ON PORT NECHES AVENUE, FROM NALL STREET TO THE POST OFFICE ENTRANCE, AND PORT NECHES ECONOMIC DEVELOPMENT CORPORATION PROPERTY ON SUNDAY, OCTOBER 27, 2024 FROM 5:00 P.M. – 8:00 P.M.**

The City Council was provided correspondence received from members of the Port Neches Chamber of Commerce for review. The City Manager explained that the Chamber has requested that the consumption of alcohol be permitted on public right-of-way on Sunday, October 27, 2024 from 5:00 p.m. – 8:00 p.m.; this area will include Port Neches Avenue between Nall Street and the Post Office entrance. He stated that in order to allow this, it is necessary for the City Council to issue a temporary permit.

Councilmember McMahon made a motion the approve the request from the Port Neches Chamber of Commerce to allow for the consumption of alcoholic beverages on Port Neches

Avenue, between Nall Street and the Post Office entrance, and on Economic Development Corporation property on Sunday, October 27, 2024 from 5:00 p.m. to 8:00 p.m., seconded by Councilmember Arnold. **MOTION PASSED BY UNANIMOUS VOTE.**

**AGENDA ITEM 10 - DISCUSS AND TAKE ACTION REGARDING A REQUEST FROM THE ART WALK COMMITTEE TO CLOSE PORT NECHES AVENUE FROM DALLAS STREET TO THE POST OFFICE ENTRANCE ON SATURDAY, NOVEMBER 2, 2024 FROM 10:00 A.M. TO 4:00 P.M. FOR AN "ART WALK ON THE AVENUE" EVENT.**

The City Council was provided with correspondence received from members of the Art Walk Committee for review. The City Manager stated that the Committee has requested that Port Neches Avenue, between Dallas Street and the Post Office entrance be closed on Saturday, November 2, 2024 from 10:00 a.m. to 4:00 p.m. The merchants will be hosting "Art Walk on the Avenue" which will include arts and crafts vendors, food vendors, and live music. He noted that this will be the tenth year of this successful event.

Councilmember Arnold made a motion to approve the closure of Port Neches Avenue on Saturday, November 2, 2024 from 10:00 a.m. to 4:00 p.m, seconded by Councilmember Schwertner. **MOTION PASSED BY UNANIMOUS VOTE.**

**AGENDA ITEM 11 - DISCUSS AND TAKE ACTION REGARDING THE APPROVAL OF A REQUEST FROM THE ART WALK COMMITTEE FOR A TEMPORARY PERMIT IN ACCORDANCE WITH SECTION 6-5 OF THE CITY'S CODE OF ORDINANCES TO ALLOW FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES ON PORT NECHES AVENUE, FROM DALLAS STREET TO THE POST OFFICE ENTRANCE, AND PORT NECHES ECONOMIC DEVELOPMENT CORPORATION PROPERTY ON SATURDAY, NOVEMBER 2, 2024 FROM 10:00 A.M. – 4:00 P.M.**

The City Council was provided with correspondence received from the Art Walk Committee for review. The City Manager explained that the Chamber has requested that the consumption of alcohol be permitted on public right-of-way on Saturday, November 2, 2024 from 10:00 a.m. - 4:00 p.m.; this area will include Port Neches Avenue between Dallas Street and the Post Office entrance. He stated that in order to allow this, it is necessary for the City Council to issue a temporary permit.

Councilmember Wallace made a motion to approve the request from the Art Walk Committee to allow for the consumption of alcoholic beverages on Port Neches Avenue, between Dallas Street and the Post Office entrance, and on Economic Development Corporation property on Saturday, November 2, 2024 from 10:00 a.m. to 4:00 p.m., seconded by Councilmember Schwertner. **MOTION PASSED BY UNANIMOUS VOTE.**

**AGENDA ITEM 12 - DISCUSS AND TAKE ACTION REGARDING A REQUEST FROM THE PORT NECHES CHAMBER OF COMMERCE TO CLOSE PORT NECHES AVENUE FROM NALL STREET TO THE POST OFFICE ENTRANCE ON SUNDAY, DECEMBER 8, 2024 FROM 5:00 P.M. TO 9:00 P.M. FOR A "LIGHT UP THE AVENUE" CHRISTMAS TREE LIGHTING EVENT FOLLOWED BY A SHOPPING AND ENTERTAINMENT EVENT.**

The City Council was provided with correspondence received from of the Port Neches Chamber of Commerce for review. The City Manager explained that the Chamber plans to have a "Light Up the Avenue" celebration on Sunday, December 8, 2024, followed by a

shopping/entertainment event. He explained that the Chamber has requested that Port Neches Avenue between Nall Street and the Post Office entrance be closed from 5:00 p.m. to 9:00 p.m. He noted that this event will coincide with the Christmas tree lighting.

Councilmember Schwertner made a motion to approve the closure of Port Neches Avenue, between Nall Street and the Post Office entrance, on Sunday, December 8, 2024 from 5:00 p.m. to 9:00 p.m., seconded by Councilmember Wallace. **MOTION PASSED BY UNANIMOUS VOTE.**

**AGENDA ITEM 13 - DISCUSS AND TAKE ACTION REGARDING THE APPROVAL OF A REQUEST FROM THE PORT NECHES CHAMBER OF COMMERCE FOR A TEMPORARY PERMIT IN ACCORDANCE WITH SECTION 6-5 OF THE CITY'S CODE OF ORDINANCES TO ALLOW FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES ON PORT NECHES AVENUE, FROM NALL STREET TO THE POST OFFICE ENTRANCE, AND PORT NECHES ECONOMIC DEVELOPMENT CORPORATION PROPERTY ON SUNDAY, DECEMBER 8, 2024 FROM 5:00 P.M. – 9:00 P.M.**

The City Council was provided with correspondence received from the Port Neches Chamber of Commerce for review. The City Manager explained that the Chamber has requested that the consumption of alcohol be permitted on public right-of-way on Sunday, December 8, 2024 from 5:00 p.m. – 9:00 p.m.; this area will include Port Neches Avenue between Nall Street and the Post Office entrance. He stated that in order to allow this, it is necessary for the City Council to issue a temporary permit.

Councilmember Schwertener made a motion to approve the request from the Port Neches Chamber of Commerce to allow for the consumption of alcoholic beverages on Port Neches Avenue, between Nall Street and the Post Office entrance, and on Port Neches Economic Development property on Friday, December 8, 2024 from 5:00 p.m. to 9:00 p.m., seconded by Councilmember Arnold. **MOTION PASSED BY UNANIMOUS VOTE.**

**AGENDA ITEM 14 - DISCUSS AND TAKE ACTION REGARDING A REQUEST FROM THE PORT NECHES CHAMBER OF COMMERCE TO CLOSE PORT NECHES AVENUE FROM THE PORT NECHES-GROVES ISD ALTERNATIVE CAMPUS TO LLANO STREET, AVENUE C FROM LLANO STREET TO MERRIMAN STREET, AND MERRIMAN STREET FROM AVENUE C TO RIVERFRONT PARK ON SUNDAY, DECEMBER 8, 2024 FROM 4:00 P.M. TO 5:00 P.M. FOR THE ANNUAL CHRISTMAS PARADE.**

The City Council was provided with correspondence received from of the Port Neches Chamber of Commerce for review. The City Manager explained that the Chamber has requested various street closures on Sunday, December 8, 2024 from 4:00 p.m. to 5:00 p.m. for the Christmas Parade.

Councilmember Arnold made a motion approve the closure of Port Neches Avenue from the Port Neches-Groves ISD Alternative Campus to Llano Street, Avenue C from Llano Street to Merriman Street, and Merriman Street from Avenue C to Riverfront Park on Sunday, December 8, 2024 from 4:00 p.m. to 5:00 p.m. for the annual Christmas Parade, seconded by Councilmember Schwertner. **MOTION PASSED BY UNANIMOUS VOTE.**

**AGENDA ITEM 15 - DISCUSS AND TAKE ACTION REGARDING THE APPROVAL OF ORDINANCE NO. 2024-16, AMENDING THE BUDGET FOR FY 2023-2024.**

The City Council was provided with a copy of proposed Ordinance No. 2024-16 for review. The City Manager stated that this document this document amends the FY 23-24 budget to account for both unanticipated revenues and expenditures in the General Fund, the Water and Sewer Fund, the Sanitation Fund, and the Street Maintenance Fund. He noted the following:

General Fund

Revenues have been increased by $285,000. Conversely, expenditures have been increased by $785,000 primarily due to the acquisition of the property from PNGISD, personnel expenditures, and inflationary costs on various supplies and materials.

Water and Sewer Fund

Revenues have been increased by $31,000. Conversely, expenditures have been increased by $406,000 primarily due to the cost for raw water and additional, required repairs to City facilities.

Sanitation Fund

Revenues have been decreased by $28,000 due to a reduction in the garbage bag fee. Conversely, expenditures have been increased by $132,000 primarily due to the carry-over of funds associated with the purchase of a garbage truck which has still not yet been delivered.

Street Maintenance Fund

Revenues have been increased by $25,000. Conversely, expenditures have been increased by $50,000 due to additional expenditures for asphalt overlay work.

Councilmember Wallace made a motion to approve Ordinance No. 2024-16, amending the FY 2023-2024 budget, seconded by Councilmember McMahon. **MOTION PASSED BY UNANIMOUS VOTE.**

**AGENDA ITEM 16 - DISCUSS AND TAKE ACTION REGARDING THE APPROVAL OF AN AMENDED PLAT FOR INDIAN POINTE ESTATES SUBDIVISION, PHASE III.**

The City Council was provided with a memorandum from Daniel Dowd for review. The City Manager stated that staff has received and reviewed an amended plat for the Indian Pointe Estates Subdivision, Phase III. He explained that the developer has requested a reconfiguration of this area which allows for larger, but fewer lots; specifically, the number of lots will be reduced from 37 to 25.

Councilmember Arnold made a motion to approve an amended plat for Indian Pointe Estates Subdivision, Phase III, seconded by Councilmember Schwertner. **MOTION PASSED BY UNANIMOUS VOTE.**

**AGENDA ITEM 17 - DISCUSS AND TAKE ACTION REGARDING THE APPROVAL OF PURCHASE OF POLYMER FOR THE WATER TREATMENT PLANT.**

The City Council was provided with a memorandum from Phillip Pryor regarding the purchase of polymer for the Water Treatment Plant. The City Manager explained that this it is requested that the City Council authorize the purchase of a one (1) year supply of this product from AOS Treatment Solutions, LLC that will be ordered and delivered as needed. The annual cost is estimated to be $175,000.00; he noted, however, that the total cost is ultimately dependent upon water consumption by City customers.

Councilmember Schwertner made a motion to approve the purchase of polymer for the Water Treatment Plant from AOS Treatment Solutions, LLC at an approximate cost of $175,000.00, seconded by Councilmember Wallace. **MOTION PASSED BY UNANIMOUS VOTE.**

**AGENDA ITEM 18 - DISCUSS AND TAKE ACTION REGARDING THE APPROVAL OF AN AGREEMENT BETWEEN THE CITY OF PORT NECHES, THE CITY OF NEDERLAND, AND SIRSI CORPORATION DBA SIRSIDYNIX FOR AN INTEGRATED LIBRARY SYSTEM DATABASE AND ASSOCIATED SERVICES.**

The City Manager requested that this item be postponed.

Councilmember McMahon made a motion to postpone the approval of an agreement between the City of Port Neches, the City of Nederland, and Sirsi Corporation dba SirsiDynix, seconded by Councilmember Arnold. **MOTION PASSED BY UNANIMOUS VOTE.**

**AGENDA ITEM 19 - DISCUSS AND TAKE ACTION REGARDING THE APPROVAL OF A PAYMENT TO THE CITY OF BEAUMONT FOR THE SOUTHEAST TEXAS REGIONAL RADIO SYSTEM (SETRRS) 2025 ANNUAL MAINTENANCE COSTS.**

The City Council was provided with a memorandum from Chief Vega for review. The City Manager explained that the regional public safety radio system was unable to obtain grant funding for 2025 to cover 75% of operational expenses. As such, it will be necessary for each of the participating entities to fully fund their portion of the cost. He stated that for Port Neches, this amounts to $36,476.35.

Councilmember McMahon made a motion to approve payment in the amount of $36,476.35 for the Southeast Texas Regional Radio System, seconded by Councilmember Arnold. **MOTION PASSED BY UNANIMOUS VOTE.**

**AGENDA ITEM 20 - DISCUSS AND TAKE ACTION REGARDING THE APPOINTMENT TO THE CITY OF PORT NECHES FIREFIGHTERS AND POLICE OFFICERS' CIVIL SERVICE COMMISSION.**

The City Manager explained that the City of Port Neches Firefighters' and Police Officers' Civil Service Commission consists of three (3) members each serving staggered three (3) year terms and in accordance with the Civil Service statute, Section 143.006(b) states that "The Commission consists of three members appointed by the municipality's chief executive and confirmed by the governing body of the municipality." He stated that the term of Commission member Wayne

Moore expires on October 2, 2024 and Mr. Moore has indicated a desire to continue his service on the Commission.

Councilmember Arnold made a motion to appoint Wayne Moore to the City of Port Neches Firefighters' and Police Officers' Civil Service Commission for a three (3) year term expiring on October 2, 2027, seconded by Councilmember Wallace. **MOTION PASSED BY UNANIMOUS VOTE.**

**AGENDA ITEM 21 - DISCUSS AND TAKE ACTION REGARDING THE APPROVAL OF THE TAX OFFICE MONTHLY COLLECTION REPORT AND REFUNDS.**

The City Council was provided with the monthly tax collection report from the County for August 2024:

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|---|---|
| Current Collections: | $22,224.39 |
| Delinquent Collections: | $1,613.20 |
| Regular & Supplemental Refunds: | $0.00 |
| Penalty & Interest: | $3,650.71 |
| Total: | $27,488.30 |

Current Collections YTD: 98.27%
Current Collections YTD Last Year: 98.32%

Councilmember Schwertner made a motion to approve the report as submitted by the County for August 2024, seconded by Councilmember Wallace. **MOTION PASSED BY UNANIMOUS VOTE.**

**AGENDA ITEM 22 & 23 – EXECUTIVE SESSION AND RECONVENE**

Mayor Pro Tem Anders requested this item on the agenda be postponed at this time.

Councilmember McMahon made a motion to postpone this item, seconded by Councilmember Arnold. **MOTION PASSED BY UNANIMOUS VOTE.**

**AGENDA ITEM 24 – ADJOURN**

There being no further business the meeting was adjourned at 4:27 p.m.

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Adam Anders, Mayor Pro Tem

ATTEST:

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Holly Alexander, City Secretary