

MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS EXECUTIVE SESSION ON TUESDAY APRIL 13, 2021 AT 4:00 PM, AND REGULAR SESSION MEETING ON TUESDAY APRIL 13, 2021 AT 5:15PM, IN THE CITY HALL CHAMBERS

**COUNCIL PRESENT**

Mayor Trey Wilkerson, Mayor Pro Tem Daniel Lopez, and Councilmembers Benita Sheffield Duffield, Don Hendrick, Luis Maldonado, and Charles Moses, Sr.

**ABSENT**

Councilmember Tom Farley

**STAFF PRESENT**

City Manager Gerry Boren, City Secretary Melissa McCall, Finance Director Sam Durham, Police Chief Steve Baker

**Executive Session Minutes**

Mayor Wilkerson called the meeting open at 4:00 pm. Council convened into a closed Executive Session, in accordance with Open Meetings Act, Chapter 551, closed meeting permitted by Texas Government Code Section 551.071, consultation with Attorney, regarding Cause No. CV-00443-16-7, City of Diboll vs. Angelina County WCID No. 4, and related matter.

At 4:55 pm, Council reconvened into open session following closed door session and no action was taken concerning matters discussed in Executive Session.

Mayor Wilkerson called for a break until the 5:15pm regular session.

**Regular Session Minutes**

Mayor Wilkerson called the meeting to order at 5:15 pm and gave the invocation.

Pledge of Allegiance was recited by those in attendance, led by Mayor Wilkerson.

**Item #1: Public Hearing** – Mayor Wilkerson opened the Public Hearing at 5:16pm regarding Planning and Zoning Request regarding the rezoning Angelina County Property ID #143873, which is an approximately 1.5-acre lot, located at 1206 Maynard Street, Diboll, Texas, from Agricultural (Ag) to Residential Two-Family Dwellings (S2), in which a proposed duplex is to be built on site, as requested by Cecil Sheffield, part-owner, Bubba Team Series, LLC.

There was no citizen participation, therefore Mayor Wilkerson closed the public hearing at 5:20pm.

**Item #2:** Discuss and consider taking action to adopt Ordinance 2021-04-001, the rezoning of 1206 Maynard Street from Agriculture to Residential Two-Family Dwellings (S2), as recommended by the Planning and Zoning Commission. See Exhibits A & B.

Don Hendrick made the motion to approve and Charles Moses, Sr. second.

All in Favor, none opposed, motion carries.

Note: Councilmember Benita Sheffield Duffield abstained from voting on this item due to being a part owner of the family-owned property located at 1206 Maynard.

**Citizens Presentation:** (Limited to 3 minutes)

This item provides the opportunity to address the City Council on any matter whether or not it's posted on the agenda. However, in accordance with the Texas Open Meetings Act, Section 551.041, the Council cannot discuss, deliberate, or take any action on matters not listed on the agenda. At this time, the Council will receive citizen comments, and if necessary, may refer the matter to City staff for research, resolution, or referral to Council on a future agenda.

The following individuals expressed their comments and concerns:

1. Lewis Ivey – transparency issues, council voting regarding executive session items, video recordings of City Council meetings issues
2. Gary Gores – transparency issues
3. Sandra Pouland – Keep Diboll Beautiful concerns

**Item #3:** Consent Agenda: All matters listed under Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion. If discussion is desired, that item will be removed from the consent agenda and will be considered separately. Consider approving the following reports:

- a) Minutes from March 9, 2021 City Council Regular Meeting
- b) Minutes from March 16, 2021 City Council Special Called Meeting
- c) Financial Report for March 2021

Daniel Lopez made the motion to approve and Charles Moses, Sr. second.

All in Favor, none opposed, motion carries.

**Item #4:** Discuss and consider taking action to approve Resolution 2021-04-002 for the City of Diboll to be in Opposition to Senate Bill 234 and House Bill 749 efforts to silence county officials.

Don Hendrick made the motion to approve and Luis Maldonado second.

All in Favor, none opposed, motion carries.

**Item #5:** Discuss and consider taking action to approve Resolution 2021-04-003 authorizing the submission of a Texas Community Development Block Grant Program application to The Texas Department of Agriculture for the community development fund; and authorizing the Mayor and Mayor Pro Tem to act as the city's executive officer and authorized representative in all matters pertaining to the city's participation in the Texas Community Development Block Grant Program.

Benita Sheffield Duffield made the motion to approve and Luis Maldonado second.

All in Favor, none opposed, motion carries.

**Item #6:** Discuss and take action to approve Resolution 2021-04-004, which would remove former Mayor John McClain's signature, as well as adding both Mayor Trey Wilkerson and Mayor Pro Tem Daniel Lopez's signature to all bank accounts at Southside Bank and Commercial Bank of Texas, N.A.

Luis Maldonado made the motion to approve and Benita Sheffield Duffield second.

All in Favor, none opposed, motion carries.

**Item #7:** Discuss and consider taking action to approve Ordinance 2021-04-005 for a State Infrastructure Bank (SIB) loan in the amount of \$225,000, for the expansion of Lumberjack Drive for the City of Diboll, which is scheduled to be completed by Texas Department of Transportation (TxDOT).

Don Hendrick made the motion to approve and Danie Lopez second.

All in Favor, none opposed, motion carries.

**Item #8: CITY MANAGER AND DEPARTMENT HEAD REPORTS**

Fire Department Report – Gary Jones, Fire Chief

Police Department Report – Steve Baker, Police Chief

Animal Control Report – Grady Courtney, Animal Control Officer (unavailable)

Street Department Report – Robby Roberts, Jr., Department Head

Water Department Report – Faustino Lopez III, Department Head

Wastewater Department Report – Bridget Sarver, Department Head

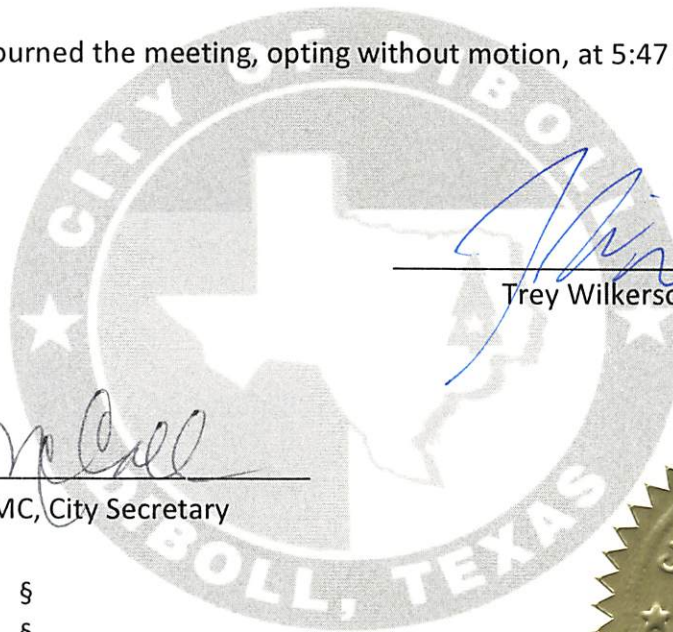
Parks Department Report – Patrick Miller, Department Head

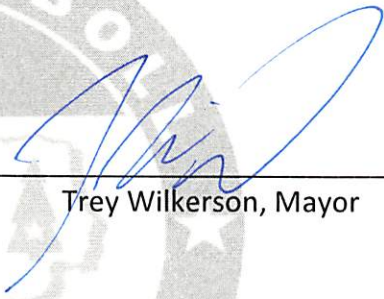
Finance & Court – Sam Durham, Staff Accountant

City Secretary – Melissa McCall – Attendance Record

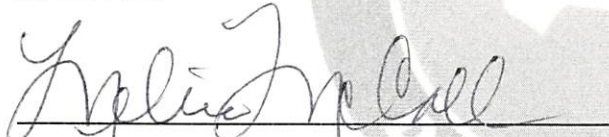
City Manager - Gerry Boren

Mayor Wilkerson adjourned the meeting, opting without motion, at 5:47 pm



  
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Trey Wilkerson, Mayor

**ATTEST BY:**

  
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Melissa McCall TRMC, City Secretary

STATE OF TEXAS           §  
ANGELINA COUNTY       §  
CITY OF DIBOLL           §

