

**MINUTES
REGULAR MEETING
NOVEMBER 27, 2023**

The City Council of the City of Navasota, Grimes County, Texas met at the City Council Chambers, Room No. 161, located at 200 E. McAlpine Street at 6:00 p.m., Navasota, Texas on the above date with the following being present:

**Bernie Gessner, Mayor Pro-Tem, Place # 1
Pattie Pederson, Councilmember, Place # 2
Josh M. Fultz, Councilmember, Place # 3
Bert Miller, Mayor, Place # 4
James Harris, Councilmember, Place # 5**

Thus constituting a quorum.

STAFF PRESENT: Jason Weeks, City Manager; Susie M. Homeyer, City Secretary; Jason Katkoski, Fire Chief/EMC; Michael Mize, Police Chief; Peggy Johnson, HR Director; Jennifer Reyna, Public Works Director; Cary Bovey, Legal Counsel; Lupe Diosdado, Development Services Director; Kristin Gauthier, Assistant City Manager; Jose Coronilla, Public Works Superintendent; Maribel Frank, Chief Financial Officer; Jon MacKay, Graduate Engineer; Lloyd Lively, Marketing and Communications Director; Rayna Willenbrink, Economic Development Director; Geralyn Backhus, Records Clerk; Ryan Hendricks, Park & Recreation Manager; and Karin Thomas, Dispatcher.

VISITORS: Connie Clements, Brenda Storey, Debbie Hancock, Betsy Lehnert, Deborah Richardson, Dia Copeland, Phillip Cox, Michele Steinhauser, Sharon Hudson, Marilyn Bettes, Johnny Sexton, Baker Goodwin, Dannielle Randall, Sherry Gillespie, Gilverta Diaz, Debbie Grimes, Helen Quinn, T. J. Green, Norma Mason and Deborah Setzer.

THE ITEMS ON THE AGENDA WERE TAKEN UP IN DUE ORDER AS FOLLOWS:

1. Mayor Bert Miller called the meeting to order at 6:00 p.m.
2. Invocation was given by Rev. T. J. Green. The City Council, staff members and visitors then recited the Pledge of Allegiance to the American Flag and the Texas Flag.
3. Remarks of visitors: None.
4. Staff report:
 - a) Mayor Bert Miller proclaimed the month of December 2023 as "Tree of Angels".
 - b) Peggy Johnson, H. R. Director, introduced the following new employee: Karin Thomas, Communications Operator.
 - c) Jon MacKay, Graduate Engineer, gave an update on the CIP projects.

d) There were no Board and Commission updates.

e) Councilmember and staff informed the audience about upcoming events.

5. Mayor Pro-Tem Bernie Gessner moved to allow city staff to proceed with the sale of city owned properties via the sealed bid method, setting the minimum bids as presented in the staff report, seconded by Councilmember Josh Fultz and with each Councilmember voting AYE, the motion carried.

6. A discussion was held on the future of the Horlock House Art Gallery and History Museum. The following individuals addressed the City Council.

Brenda Storey and Betsy Lehnert both spoke in favor of the City keeping the Horlock House and not selling it due to history it brings Navasota.

7. Councilmember Josh Fultz moved to table the discussion to finalize the parks Facility Use Policy and move it to the next scheduled Council meeting, seconded by Councilmember James Harris and with each Councilmember voting AYE, the motion carried.

8. Mayor Pro-Tem Bernie Gessner moved to approve the consent agenda items which include the second reading of Ordinance No. 1034-23, amending the project plan, finance plan, and expansion of the zone boundaries of the City of Navasota Tax Increment Reinvestment Zone Number One, the second reading of Ordinance No. 1035-23, approving tax year 2023 tax roll for the Grimes County portion and the second reading of Ordinance No. 1036-23, approving tax year 2023 tax roll for the Brazos County portion, seconded by Councilmember Josh Fultz and with each Councilmember voting AYE, the motion carried.

9. The City Council shall meet in Executive Session in accordance with the Texas Government Code, Section 551.071 - Consultation with Attorney - Consultation with Legal Counsel regarding petition received from Pecan Hill Acquisition LLC requesting to be released from the City of Navasota's Extraterritorial Jurisdiction (ETJ).

The City Council shall meet in Executive Session in accordance with the Texas Government Code, Section 551.071 - Consultation with Attorney - Consultation with Legal Counsel regarding City of Grand Prairie v. The State of Texas; Cause No. D-1-GN-23-007785; 261st Judicial District Court, Travis County, Texas.

The City Council shall meet in Executive Session in accordance with the Texas Government Code, Section 551.072, deliberation regarding real property for the purpose of discussion and deliberation regarding the City of Navasota's potential acquisition of real property for City projects/purposes. The time was 8:52 p.m.

10. The City Council reconvened in open session at 9:40 p.m.

11. Councilmember Pattie Pederson moved that Pecan Hill Acquisition LLC's petition to remove property from the City's extraterritorial jurisdiction be denied because Senate Bill 2038 is an unconstitutional delegation of legislative authority and it conflicts with the city's grant of discretionary legislative authority in Local Government Code Section 42.023. The City does not consent to the reduction of its ETJ, seconded by Councilmember Josh Fultz and with each Councilmember voting AYE, the motion carried.

12. Councilmember Pattie Pederson moved that the City of Navasota join the lawsuit as a party challenging the legality of SB 2038, said lawsuit being entitled City of Grand Prairie v. The State of Texas, Cause No. D-1-GN-23-007785, 26th Judicial District Court, Travis County, Texas, seconded by Mayor Pro-Tem Bernie Gessner and with each Councilmember voting AYE, the motion carried.

13. Councilmember Pattie Pederson moved that the City Manager be authorized to negotiate, approve and execute all necessary documentation for the acquisition of real property as discussed in Executive Session, seconded by Councilmember Josh Fultz and with each Councilmember voting AYE, the motion carried.

14. Mayor Bert Miller adjourned the meeting at 9:44 p.m.


BERT MILLER, MAYOR

ATTEST:


SUSIE M. HOMEYER, CITY SECRETARY

