

Notice of Regular Meeting Minutes  
CITY OF BEVIL OAKS, TEXAS

October 16, 2025

1. **Call to Order @ 6:30**
2. **Pledge of Allegiance/Invocation given by Councilman Clayton**
  - a. The United States Flag
  - b. The Texas state flag: "*Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.*"
3. **Roll Call-** All present
4. **Conflict of Interest Statement-** None
5. **Citizen Comments (3 minutes each)** – An opportunity for the citizens to address Council on agenda items or concerns not on the agenda – those wishing to speak must complete the comment card, present the comment card to the City Secretary prior to the beginning of the meeting, and observe a 3-minute time limit
  - Charles Cramer- States that the ordinances are in place and the Council is the one that has to enforce them. States that the Council has the power to change the ordinances.
6. **Presentation**
  - a. **Presentation** given by Peter Simon with EKC on retirement plan options for City employees
    - **Peter Simon-** States that the options for a retirement plan are a simple IRA or a 401(k) plan. With a simple IRA- it is easy to administer and it's low cost to the City. States that 401k's are more complex and expensive to administer. States that the City can match up to 3%. States that if the employee doesn't do 3%, the City will match whatever % the employee puts in. States that if the employee doesn't contribute then the City must still do 1 ½-2 % under the safe harbor rules. With both simple IRA and 401k, they are tax deferral funds.
    - **Councilman Wright-** Does the City have the ability to choose what to match?
    - **Peter Simon-** Yes. With 401k's you can match more. With Simple IRA, you can only match up to 3%.
    - **Councilman Wright-** Can the employee choose how much they put in?
    - **Peter Simon-** Yes. With 401k, the employee can put up to \$23,000 a year. With Simple IRA, the employee can only do \$16,500 a year.
    - **Councilman Wright-** What's the cost for the City?
    - **Peter Simon-** States that he would recommend the Simple IRA. States that the expense for the CPA's to administer the 401k would be much higher than the Simple IRA. With the Simple IRA, the employee's can choose where they want to.
    - **Councilman Wright-** What ability would the employee have over their funds?
    - **Peter Simon-** The employee would be able to control it how they want depending on the firm that they choose.
    - **Councilwoman Cramer-** Asks if they have looked into the TML retirement?
    - **Peter Simon-** No.
    - **Councilwoman Cramer-** States that with the TML, there is a downfall of having to be employed for 5 years.

- **Councilwoman Cramer-** Will there be a deduction in the payroll taxes for the City?
- **Peter Simon-** States that the City won't pay payroll taxes on the tax deferral funds. States that the City can choose to elect whether they contribute if the City doesn't. States that the City would be paying very minimal fees to the CPA firm for the Simple IRA plan.
- **Councilman Mannette-** Is there a percentage that the City has to pay?
- **Peter Simon-** The City would decide how much they want to contribute. For the employee to qualify, they must make at least \$5,000 in the previous year.
- **Councilman Wright-** States that the real benefit is that it will help the employees prepare for the future and the City gets to help with that.
- **Councilwoman Cramer-** States that it also helps the City stay in the competitive field.
- **Councilman Wright-** States that being in the competitive field helps the City. States that the cost for the City would be minimal and the City can control that by starting out at 2% and increase that as the City gets more stable.
- **Peter Simon-** The max that the City can contribute is 3%.
- **Councilman Wright-** The employee can contribute more than that if they want to.
- **Peter Simon-** Yes, they can contribute up to \$16,500.
- **Councilman Wright-** Do the employees have to be classified as full time in order to benefit from this?
- **Peter Simon-** States that as long as the employee makes \$5,000, they can participate.
- **Councilman Mannette-** How much additional cost would it be for EKC to distribute the IRA to the employee accounts?
- **Peter Simon-** States that he would need to speak with Janet to give an accurate number.
- **Councilwoman Cramer-** How quickly can the account be set up because notification has to be given by November 2?
- **Peter Simon-** States that notification has to be given out by October 31. States that it would be little cost and time for EKC to get it set up. It would just be administered with the regular payroll.
- **Councilman Clayton-** Asks if the employee can change how much they want to contribute throughout the year?
- **Peter Simon-** Yes, but if they decide that they want to drop out of the IRA, then they wouldn't be able to join again until the following year.
- **Councilwoman Cramer-** If the employee decides to change their contribution amount, how does EKC get notified? That will also be more cost from EKC.
- **Councilman Clayton-** I know that you can't give a hard number on the cost to administer this, but we need to know that cost.
- **Peter Simon-** States that he can't give a hard number, but he can assure the Council that the cost will be minimal. States that it might take 15 to 30 minutes more when doing payroll and 30 minutes is just giving cushion for how long it would take.

- **Mayor Mitchell-** Let's Council know that they have been given the auditor's letter.

**7. Review/Approve Consent Items M/M/2/C- Councilman Clayton/Councilman Merendino-Approved- Unanimous**

- a. Financial Reports for City of Bevil Oaks**
- b. Financial Reports for Public Works**
- c. Utility Innovations Report**
- d. Previous Meeting Minutes**

**8. Review/Approve Action Items**

- a. Consideration/Discussion/Approval** of choosing a retirement plan for full-time City employees. *Presented by Mayor Mitchell and/or City Administrator M/M/2/C- Councilman Clayton/Councilwoman Cramer- Approved the Simple IRA with the stipulation that it costs the City less than \$1,000 to set up. Unanimous*

- **Merendino-** Suggests simple IRA. If it costs more than \$1,000 to set up, then it needs to be voted on again. Suggests a 2% match as long as the employee puts in 2%.
- **Councilwoman Cramer-** States that there is still a minimum of 1% that the City has to put in regardless of if the employee contributes or not.

- b. Consideration/Discussion/Approval** of approving request made by new property owner to have culverts installed across the front of his property. *Presented by Councilman Merendino M/M/2/C- Councilman Merendino/Councilwoman Cramer- Declined- Unanimous*

- **Councilman Merendino-** States that he talked to the homeowner about it and explained to him the regulations that the County has in place. Explains that the homeowner wanted to put culverts across the entire front of his property. States that the County rule is that you can only have 40 feet of culvert. States that after Harvey the County would rather have open ditches rather than closed.
- **Councilwoman Cramer-** Asks if the City would have to go to the County to represent the homeowner if Council approved the homeowner having more than 40 feet of culvert?
- **Councilman Merendino-** Yes. Asks Councilman Clayton what he had to do to get the culvert approved for the last resident?
- **Councilman Clayton-** States that all he had to do was bring it to Council to get it approved and they did it.
- **Sabrenna Crain-** States that it was a completely different situation that Councilman Clayton was dealing with because that homeowner just wanted to extend his driveway. States that this homeowner is wanting to put a culvert across the entire front of his property.
- **Councilman Merendino-** States that if we do this for this homeowner, then we will have to do it for everyone else.
- **Sabrenna Crain-** States that when he came by the office today and said that he spoke with 3 different Council members about it and he got the feeling that it was going to be a no' vote from the rest of Council as well, so he wasn't going to worry about it. States that he is going to tear out the

current culvert that he has and just put 40 feet of driveway in the middle of his driveway.

- **Councilman Mannette-** Asks if the County is the one that has to approve putting more than the 40 feet, then why is the Council voting on it.
  - **Councilman Wright-** States that he thinks that the County has to have approval from the Council.
  - **Councilman Merendino-** Yes. States that if the County does this for one person, then they will have to do it for everyone else.
  - **Councilwoman Cramer-** States that the City could do an ordinance about the culverts that would make it a little more strict on what was allowed.
  - **Dru Montgomery-** States that the County, will work with municipalities, but in order for them to do something for a resident, the County wants to make sure that the municipality is okay with them doing it.
  - **Councilman Merendino-** States that after speaking with the County, they don't want to put culverts all the way in front of any property.
- c. **Consideration/Discussion/Approval** of resolution to approve the 2025 tax roll. *Presented by Mayor Mitchell and/or City Administrator M/M/2/C-Councilman Clayton/Councilman Thibodeaux- Approved- Unanimous*
- **Dru Montgomery-** States that he suggests that the Council raise the taxes. States that at some point the Council needs to do it.
- d. **Consideration/Discussion/Approval** of authorized signatories for the City's CDBG-MIT-RCP grant (community development block grant-mitigation-resilient communities program). *Presented by Mayor Mitchell and/or City Administrator M/M/2/C- Councilman Clayton/Councilman Thibodeaux- Approved the Mayor, Councilman Wright, Councilman Clayton and Councilman Thibodeaux as the signers for the grant. Unanimous*
- **Councilman Thibodeaux-** Asks what the progress was on the grant.
  - **Mayor Mitchell-** States that we are doing a bunch of paper work right now.
  - **Councilman Thibodeaux-** Asks what the grant amount was for this grant and what it was?
  - **Sabrenna Crain-** States that it is \$250,000 and it is the planning grant.
  - **Councilman Wright-** Asks what the purpose is to approve this item?
  - **Mayor Mitchell-** States that there needs to be herself and two others to sign documents for the grant.
  - **Sabrenna Crain-** States that there are 4 signatories needed. States that the signatories would be signing any grant paperwork for this grant.
- e. **Consideration/Discussion/Approval** of resolution designating authorized signatories for contractual documents and documents requesting funds pertaining to the CDBG-MIT-RCP grant (community development block grant-mitigation-resilient communities program.) *Presented by Mayor Mitchell and/or City Administrator M/M/2/C- Councilman Merendino/Councilwoman Cramer- Councilman Wright, Councilman Clayton, Councilman Thibodeaux- Approved- Unanimous*

- f. **Consideration/Discussion/Approval** of appointment of civil rights officer pertaining to the CDBG-MIT-RCP grant (community development block grant-mitigation-resilient communities program.) *Presented by Mayor Mitchell and/or City Administrator M/M/2/C- Councilman Clayton/Councilman Mannette- Approved- Councilman Clayton to be the civil rights officer- Unanimous*
- g. **Consideration/Discussion/Approval** of Section 504 self-evaluation form pertaining to the CDBG-MIT-RCP grant (community development block grant-mitigation-resilient communities' program.) *Presented by Mayor Mitchell and/or City Administrator M/M/2/C- Councilman Merendino/Councilwoman Cramer- Approved- Unanimous*
- h. **Consideration/Discussion/Approval** of resolution affecting various aspects of existing and proposed controls affecting City's official and administrative policies regarding Civil Rights pertaining to the CDBG-RCP grant (community development block grant-mitigation-resilient communities' program.) *Presented by Mayor Mitchell and/or City Administrator M/M/2/C- Councilman Merendino/Councilman Clayton- Approved- Unanimous*
- **Sabrenna Crain-** States that some of the policies included in this resolution are policies that the City already has in place, but the only difference is that the verbiage is changed to meet the requirements for the grant.
- i. **Consideration/Discussion/Approval** of resolution designating the City Council as the governing body to conduct public hearings regarding violations of City ordinances. *Presented by Mayor Mitchell M/M/2/C- Councilman Mannette/Councilman Clayton- Approved- Unanimous*
- **Councilman Merendino-** Asks what this means?
  - **Dru Montgomery-** States that every ordinance that the City has requires the right to a hearing. Typically most municipalities handle this through a court, but with the City being a type A municipality, we have t the ability to make this happen through the Council. Most of the time it isn't done through the Council because it would take over other Council activities, but the level and amount of enforcement would not over burden Council. States that it also simplifies any problems. Basically this makes the Council the judge. States that the con is that it makes enforcement a little harder because we have to get all of Council here at the same time. States that this formally makes Council the initial governing body.
  - **Councilwoman Cramer-** Is this also where someone could request an extension?
  - **Mayor Mitchell-** Yes.
  - **Councilman Mannette-** Asks if this is when someone could come and explain why they haven't been able to resolve the issue that they were violated for.
  - **Dru Montgomery-** This makes the Council the fact finder.
  - **Councilman Wright-** Asks if someone doesn't take care of the issue, they would come to Council and explain why.

- **Dru Montgomery-** States that if someone doesn't get an issue taken care of then they are at risk of receiving a fine.
- **Councilwoman Cramer-** States that they have 10 days to request a hearing.
- **Dru Montgomery-** States that for the fine to be given, there has to be a hearing.
- **Councilman Wright-** What constitutes them waiving that hearing?
- **Mayor Mitchell-** If they don't show up to the hearing.
- **Dru Montgomery-** If they get notice and they don't show, now the fine has a lot more feed because they waived it by not showing up. States that he needs to see if the Council can also be the appeal court. It may jump from the Council to the court.
- **Mayor Mitchell-** States that if someone needs more time, they have a right to an appeal.
- **Councilman Thibodeaux-** Asks how this is different than the way it is now?
- **Mayor Mitchell-** States that this will give them the ability to appeal if they need to.
- **Dru Montgomery-** If they need more time, they can request a variance before the hearing is set.
- **Councilman Wright-** Would we wait until we have 3 or 4 violations and then schedule the hearing?
- **Dru Montgomery-** Yes.
- **Mayor Mitchell-** States that Council would also have the ability to do an abatement as well.
- **Dru Montgomery-** States that this has some advantages, but there is also some disadvantages like having to wait to do the hearing until we can get all of Council together.
- **Councilman Wright-** States that he has had several disgruntled residents since he has been on Council and he dealt with them by himself and made a decision about how that situation needed to be handled. Asks if this is something that he can continue to do or does he need to bring it back to Council?
- **Mayor Mitchell-** States that he can continue to do what he has been.
- **Dru Montgomery-** States that this pertains to fines. States that if it is a water and sewer violation, then it would come to Council.
- **Councilwoman Cramer-** If the person hires an attorney, does that have to go to municipal court?
- **Dru Montgomery-** No. It would come before the Council because the Council is the court.
- **Councilman Mannelle-** States that this sounds similar to an H.O.A.
- **Councilwoman Cramer-** States that the difference between an H.O.A. and this is that you can get a misdemeanor with ordinance because they are City law.

- **Councilman Clayton-** States that Council needs to educate their constituents with the difference between an H.O.A. and ordinance enforcement so that they understand that the ordinances are law.
- **Councilwoman Cramer-** States that most of these are flood management problems i.e. if you have 15 cars in your driveway, that can damage your neighbors property if there is a flood.
- **Dru Montgomery-** States that an H.O.A. is mimicking a municipality so it seems like it is the same thing. States that this will streamline the enforcement.
- **Councilwoman Cramer-** States that sometimes things happen and Council can't get together. Do we need to give notice that we need to postpone?
- **Dru Montgomery-** Yes. States that it rarely gets to the fact-finding argument.
- **Councilman Merendino-** States that there are a couple of properties out here that can't sale because of the issues on the property next to them.
- **Councilman Cramer-** Will there be procedures put in place that we need to follow in the hearing?
- **Dru Montgomery-** Yes.

**j. Consideration/Discussion/Approval of purchasing a vehicle/recreational vehicle for City and Public Maintenance Department use. *Presented by Councilman Clayton M/M/2/C- Councilwoman Cramer/Councilman Thibodeaux- Approved Councilman Clayton and the public maintenance department to purchase a vehicle within the \$20,000 budget- Unanimous***

- **Councilman Clayton-** States that a budget of \$20,000 was approved. States that the public maintenance department did their research on what would suit their job duties the best. States that they put a list together of vehicles that would best suit their needs.
- **Mayor Mitchell-** Asks what needs to be done if the vehicle that is chosen is not available after Council approves it.
- **Councilman Wright-** States that the list was just brought to the Council for their references. States that the budget has already been approved.
- **Sabrenna Crain-** States that this was brought back to Council because when the budget was approved, it was stated that it had to be brought back to Council to approve the vehicle and that's why it is back on the agenda.
- **Mayor Mitchell-** States that if a dollar amount has already been chosen then someone can go get it.
- **Councilman Merendino-** States that if they get a vehicle, they can lock their tools in the vehicle.
- **Sabrenna Crain-** States that the vehicles were put in the packet to give the Council an idea about what type of vehicle is being looked at. States that we could always go to a car lot and get a vehicle.
- **Councilman Merendino-** Asks if we are going to get a mechanic to look at the vehicle before it is purchased?

- **Councilman Mannette-** Asks if we are looking at a budget so that one of the cargo vans on the list as well as a side by side can be purchased?
- **Councilman Clayton-** Yes. The budget was \$20,000. It looks like both will be able to be purchased and it will be under budget.
- **Councilman Wright-** States that Sabrenna would rather a side by side than a vehicle because it is more convenient when they are doing meter changes, but if they have to go get material, then they have to use their own vehicle.
- **Councilman Clayton-** States that he spoke with them as well, but we are to a point now where we can get both. Asks if as the Councilman over this, does he need to go out and look for this or do we give them the ability to do it?
- **Councilman Wright-** States that he wasn't aware that we were getting both.
- **Councilman Clayton-** Yes. We did talk about both.
- **Sabrenna Crain-** States that she suggested both, but y'all said a vehicle in case we needed to go get parts. States that from her experience that getting in and out of a vehicle when doing a bunch of meter changes, is difficult. States that it is easier getting tools in and out of the bed of a golf cart than having to load and unload tools out of a vehicle.
- **Councilwoman Cramer-** Asks if it is still the goal to have the maintenance department change meters?
- **Councilman Wright-** States that right now, they are doing all the copper and lead surveys. States that they are starting to do the rereads and cut offs.
- **Councilman Mannette-** Asks if we have to carry commercial insurance on what we get?
- **Dru Montgomery-** States that special rules apply to municipal use of vehicles, so we have insurance for that.
- **Councilwoman Cramer-** Would our premium go up by adding this?
- **Dru Montgomery-** Yes.
- **Councilman Clayton-** Wouldn't it be better for our employees to use a City vehicle rather than using their own?
- **Dru Montgomery-** States that they way that it works when they are using their vehicles is if they get in an accident, then their insurance would cover it first then the rest of the cost would go to the City's insurance.
- **Councilman Mannette-** If their insurance company knows that they are using it for work, then their insurance can drop their coverage.
- **Councilman Merendino-** Suggests waiting on a side by side until after winter.
- **Councilman Wright-** Suggests letting the maintenance department get a little more experience in what they are doing and see what they think they would need to do their jobs more efficiently.
- **Councilman Clayton-** States that the last conversation that he had with Sabrenna, she suggested getting a side by side because it would be more efficient. States that a vehicle would also give them somewhere to store all of their stuff and keep them out of the weather.

- **Sabrenna Crain-** States that all of their equipment is currently being stored at the office and that there is not enough room for all of their equipment to continue to be stored there.
- **Councilman Clayton-** States that we need to move forward being that we have the budget.
- **Sabrenna Crain-** States that the issue with buying something from a person is that we have to get Janet to write a check for the payment.

## 9. Reports

- **Councilman Wright-** Asks Dru where we stand with getting the request for a grant administrator out?
- **Dru Montgomery-** States that it has taken a while because we have to make sure that the request is going to cover what we need the grant administrator to do. States that most grant administrators specialize in obtaining grants pertaining to specific organizations. The mandate for a broader grant administrator is different especially if we aren't paying them out of our budget. States that its typically tied to a specific grant. States that we have identify how they will get paid. There has been some delay in articulating how compensation was going to be given and that is what has taken so long to get the request out. States that we have to make sure that once it comes to paying the grant administrator out of a grant, that they were procured in the correct manner according to the grant. States that we are trying to make sure that the request is broad enough to cover all of the grants available.
- **Councilman Merendino-** States that he has something that he would like to discuss that was brought up during the meet the candidate meeting. States that he was going to ask to go to executive session for the discussion, however, since it was brought up in a public meeting, then he would like to discuss it publicly.
- **Dru Montgomery-** States that a topic that is discussed in public may still need to be discussed in executive session in anticipation of litigation.
- **Councilman Merendino-** States that Councilman Thibodeaux brought up that Councilman Merendino asked him to run for ward 3 council person. States that he has asked Councilman Thibodeaux not to associate him with his candidacy. States that he wanted to ensure the people that he did not endorse Councilman Thibodeaux for this election. States that Councilman Thibodeaux also spoke about chair 66 position for the County. States that he spoke with Councilman Thibodeaux and the Mayor a couple of week prior to trying to obtain the chair 66 position and told them that he turned in all the paperwork to secure the position. States that Councilman Thibodeaux turned in paperwork to obtain that seat after he met with him and the Mayor. States that he wanted to bring this up because he told Councilman Thibodeaux that he was going to try and obtain the position, but Councilman Thibodeaux didn't let him know that he was going to try to obtain the seat as well. States that things like this is why Councilman Thibodeaux is questioned about what he does.

- **Councilman Thibodeaux-** States that none of that is true.
  - **Councilman Merendino-** States that he doesn't want Councilman Thibodeaux mentioned him in anything else. States that he doesn't feel like Councilman Thibodeaux is representing his ward fairly.
  - **Councilman Thibodeaux-** Suggests that Councilman Merendino needs to speak with him about anything that he has questions about.
  - **Dru Montgomery-** Suggest that in the future, the political discourse that just occurred, be held at a different time than in a Council meeting so that the presiding officer can make sure that the agenda topics are what is being discussed. States that it is okay for the political discourse to happen, but the presiding officer can decide whether or not to allow it.
- a. **Mayor Mitchell- none**
- **Councilman Merendino makes his report-** States that the rock pile at the park will get moved down to the sewer lift station. States that the Blvd., Chimney Rock and Thousand Oaks road work has been completed.
- b. **Councilman Clayton-** *his report is given after Councilman Wright's*
- c. **Councilwoman Cramer**
- States that her and Councilman Clayton have not received a lot of feedback from their surveys that they sent out, but they have received a lot of great comments.
  - **Councilman Wright makes his report-** States that the maintenance crew is doing a great job. States that they have started taking some of the jobs away from Utility Innovations, so that saves the City some money. States that we are also working on the copper and lead surveys. States that Layla (public maintenance department employee) is doing a great job with that. States that we have a big job about to start on Carroll. States that it will be expensive. States that we are replacing meters as fast as we can. Stating that we are having to purchase all of the meters, so there are funds being spent that weren't budgeted for, but they pay for themselves after being installed for a couple of months.
  - **Councilman Clayton makes his report-** States that he spoke with Paul Blackburn (City's Entergy Rep) about the vegetation overgrowth. States that Heather has also spoke with him. States that he would like to thank Corey Crenshaw (Ward 1 Councilman for Beaumont) for getting him in touch with Paul Blackburn. Paul Blackburn sent Councilman Clayton a message saying that they would be starting on the vegetation within the next week. States that there was an application for a flood infrastructure program and they responded by stating that the City might be eligible for funding. States that his fellow is working on getting this completed.
- d. **Councilman Thibodeaux**
- States that the garage sale will be this weekend. States that there will be digital and paper maps available for the houses that are participating. There will be dumpsters available during the garage sale. States that Christmas in the Park will be December 6<sup>th</sup>. Ask if there have been any volunteers.

- **Councilwoman Cramer-** States that she wouldn't be available for the event.
- **Councilman Thibodeaux-** States that it would be great if this was an event that all of Council could work to give back to the citizens.
- **Mayor Mitchell-** States that she would talk to Barbara Emmons would like to volunteer.
- **Councilman Merendino-** Asks when the lights would be put up?
- **Councilman Thibodeaux-** States at least a week before the event.
- **Councilman Mannette-** States that he would try to be available, but he can't guarantee that he would be available.
- **Councilman Thibodeaux-** States that he would like someone on Council to take point for the event.
- **Mayor Mitchell-** States that she would be available until 11.
- **Councilman Thibodeaux-** States that he wouldn't be available. States that we could look for organizations that would like to donate.
- **Councilwoman Cramer-** States that they discussed donations last year and they concluded that donations needed to start being obtained in July.
- **Mayor Mitchell-** States that tariffs will be going in effect November 1<sup>st</sup>, so the cost for stuff will be raised.
- **Councilman Thibodeaux-** States that the yard signs should be ready tomorrow for the proposal for ESD. States that there will be banners at 105 and Riverbend, 105 and Sweetgum, and there will be a banner at the Blvd in front of the ESD. There will also be yard signs available. States that the banner will say vote yes for the proposition as well as that there will be no new tax for Bevil Oaks residents. States that there will also be a QR code that takes them to the Q & A in Spanish and in English.

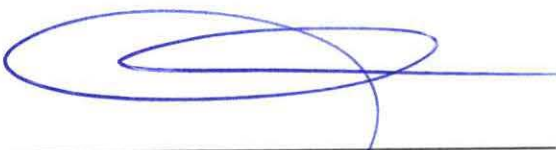
e. **Councilman Wright-** *made his report earlier*

f. **Councilman Mannette-** *No Report*

g. **Councilman Merendino-** *made his report earlier*

10. Adjourn Meeting @ 8:24 Councilman Merendino/Councilman Mannette

Approved this 15<sup>th</sup> day of January, 2026.

  
 \_\_\_\_\_  
 Mayor Cheri Mitchell

Attest:   
 \_\_\_\_\_  
 City Secretary, Jeff Thibodeaux